

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

In re Shaun DeMello

No. 03-26-00525-CV · No. 03-26-00525-CV · Decided June 17, 2026

SUMMARY

The Texas Court of Appeals, Third District, dismissed for want of jurisdiction a pro se petition for writ of mandamus challenging the Williamson County Clerk’s rejection of a motion to contest rent and related pleadings. The court held that it lacked jurisdiction to issue mandamus relief against the county clerk and denied relief to the extent the petition could be construed as directed against the trial court; it also denied a request for appointed counsel.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Rosa Lopez Theofanis; Chief Justice Byrne; Justice Rosa Lopez Theofanis; Justice Crump
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	June 17, 2026
DOCKET	03-26-00525-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding seeking a writ of mandamus against the Williamson County Clerk, and potentially the trial court.
STANDARD OF REVIEW	The court determined its original mandamus jurisdiction under Texas Government Code section 22.221 and Texas Rule of Appellate Procedure 52.8(a).
PRECEDENTIAL VALUE	published
PARTIES	Shaun DeMello (Relator) v. Williamson County Clerk (Respondent)

TOPICS

- appellate jurisdiction
- writ of certiorari
- appellate procedure
- civil procedure
- remedies

PRACTICE AREAS

- appellate procedure
- mandamus
- civil procedure

QUESTIONS PRESENTED

1. Whether the Texas Court of Appeals had jurisdiction to issue a writ of mandamus against the Williamson County Clerk.
2. Whether the petition should be denied to the extent it could be construed as seeking mandamus relief against the trial court.
3. Whether the court should appoint counsel to represent DeMello.

HOLDINGS

1. The court lacked jurisdiction to issue a writ of mandamus against the Williamson County Clerk because its mandamus jurisdiction is limited to writs against district or county court judges in the district and writs necessary to enforce the court's jurisdiction, and enforcement of the court's jurisdiction was not implicated.
2. To the extent the petition could be construed as seeking mandamus relief against the trial court, the petition was denied.

KEY QUOTATIONS

“Thus, we have no jurisdiction to issue a writ of mandamus against the county clerk unless necessary to enforce our jurisdiction, and our jurisdiction is not implicated here.”

FACTUAL BACKGROUND

DeMello, acting pro se, alleged that the Williamson County Clerk improperly rejected his timely filed motion to contest rent and related defensive pleadings. He designated the county clerk as the respondent and also appeared to seek relief against the trial court and appointment of counsel.

PROCEDURAL HISTORY

DeMello filed a pro se petition for writ of mandamus complaining that the Williamson County Clerk rejected a motion to contest rent and subsequent defensive pleadings. The court dismissed the petition for want of jurisdiction insofar as it sought relief against the county clerk and denied it insofar as it could be construed as seeking relief against the trial court; the court also denied a request for appointed counsel.

DISPOSITION

dismissed