

COURT OF APPEALS OF TEXAS, TENTH APPELLATE DISTRICT

In re Thomas Dione Moore

No. 10-26-00126-CR · No. No. 10-26-00126-CR · Decided April 9, 2026

SUMMARY

The Tenth Court of Appeals of Texas dismissed Thomas Dione Moore’s petition for want of jurisdiction. The court held that it lacked freestanding mandamus jurisdiction over the Twentieth District Court in Milam County because that court is outside the Tenth Court of Appeals’ geographic district.

CASE DETAILS

COURT	Court of Appeals of Texas, Tenth Appellate District
WRITING FOR THE COURT	Justice Lee Harris; Chief Justice Johnson; Justice Smith; Justice Harris
JURISDICTION	Texas Court of Appeals, Tenth District
DECIDED	April 9, 2026
DOCKET	No. 10-26-00126-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding in which Thomas Moore sought mandamus relief concerning a pending proceeding in the 20th District Court of Milam County, Texas.
PRECEDENTIAL VALUE	Unpublished; the opinion states 'Do not publish.'
PARTIES	Thomas Dione Moore v. The State of Texas

TOPICS

- appellate jurisdiction
- writ of certiorari
- appellate procedure
- criminal procedure
- post-conviction relief

PRACTICE AREAS

- Appellate procedure
- Criminal procedure
- Post-conviction relief

QUESTIONS PRESENTED

1. Whether the Tenth Court of Appeals had freestanding writ jurisdiction to issue mandamus against the 20th District Court of Milam County, which lies outside the Tenth Court of Appeals District.

HOLDINGS

1. The Tenth Court of Appeals lacks freestanding writ jurisdiction under Texas Government Code section 22.221(b)(1) to issue a writ of mandamus against a district court located outside the Tenth Court of Appeals District.

KEY QUOTATIONS

“As such, we are without freestanding writ jurisdiction under Section 22.221(b)(1) to issue a writ of mandamus against the 20th District Court of Milam County because it is outside of the Tenth Court of Appeals District.” (Page 1)

FACTUAL BACKGROUND

Thomas Moore sought mandamus relief relating to a pending proceeding in the 20th District Court in Milam County, Texas. That district court is outside the geographic district of the Tenth Court of Appeals.

PROCEDURAL HISTORY

Moore filed a document titled Petition for Writ of Habeas Corpus, seeking mandamus relief from the Tenth Court of Appeals. The court determined that the target district court was outside the Tenth Court of Appeals District and dismissed the petition for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- In re Jackson, No. 08-20-00026-CV, 2020 WL 562983, 2020 Tex. App. LEXIS 1003 (Tex. App.—El Paso Feb. 5, 2020, no pet.)

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