

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

In re Keith Russell Judd

No. 03-12-00617-CV (Tex. App.—Austin Dec. 7, 2012) · No. No. 03-12-00617-CV · Decided December 7, 2012

SUMMARY

The Texas Court of Appeals, Third District, denied Keith Russell Judd's pro se petition for writ of mandamus. Judd sought to compel the district court to rule on motions concerning his attempted placement on the 2012 presidential primary ballot, challenges to President Barack Obama's ballot eligibility, and voting rights for incarcerated felons; the court concluded that the record did not establish entitlement to mandamus relief.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-12-00617-CV In re Keith Russell Judd ORIGINAL PROCEEDING FROM TRAVIS COUNTY M E M O R A N D U M O P I N I O N Keith Russell Judd, an inmate in federal prison, has filed a pro se petition for writ of mandamus, asking this Court to compel the district court to rule on his various motions for declaratory and injunctive relief against the Texas Secretary of State.

Judd has failed to provide copies of these motions or specify when they were filed, but he claims in his petition that the motions relate to his unsuccessful attempt in 2011 to be placed "on the State's 2012 Presidential Primary Election Ballot as a Democratic Candidate for President of the United States," to remove President Barack Obama from that ballot for being "not a natural born citizen," and "to allow all convicted and incarcerated felons to vote" in the 2012 elections.

Judd filed a similar petition for writ of mandamus in 2011, which this Court denied because, on the record provided, we could not determine whether the district court had abused its discretion in regard to any pending motion or whether Judd would lack an adequate appellate remedy in that event. See *In re Judd*, No. 03-11-00690-CV, 2011 Tex. App. LEXIS, at *1 (Tex.

App.—Austin Nov. 16, 2011, orig. proceeding) (mem. op.). We similarly cannot determine on this record whether Judd is entitled to mandamus relief. For this and other reasons, we deny Judd's petition for writ of mandamus. See Tex. R. App. P. 52.8(a).

Bob Pemberton, Justice Before Justices
Puryear, Pemberton and Henson Filed: December 7, 2012

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