

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI-EDINBURG

In re Antonio G. Cantu

No. 13-26-00337-CV · No. 13-26-00337-CV · Decided May 1, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas denied Antonio G. Cantu’s pro se petition for writ of mandamus, supplemental petition, and second supplemental petition. The court held that Cantu had not met his burden to establish a clear abuse of discretion by the trial court and the absence of an adequate remedy by appeal.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	Ysmael D. Fonseca; Justice Silva; Justice Peña; Justice Fonseca
JURISDICTION	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
DECIDED	May 1, 2026
DOCKET	13-26-00337-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original mandamus proceeding challenging the trial court's order requiring relator to remove allegations describing criminal conduct from his pleadings and striking the pleadings for noncompliance.
STANDARD OF REVIEW	Mandamus relief requires a clear abuse of discretion by the trial court and the relator's lack of an adequate remedy on appeal. The relator bears the burden of proving both requirements.
PRECEDENTIAL VALUE	Published memorandum opinion; the document text identifies it as a memorandum opinion, but no separate precedential designation is stated in the opinion.
PARTIES	Antonio G. Cantu v. The State of Texas

TOPICS

- writ of certiorari
- appellate procedure
- standard of review
- pleadings
- remedies

PRACTICE AREAS

civil procedure

appellate procedure

mandamus

QUESTIONS PRESENTED

1. Whether the trial court clearly abused its discretion by ordering Cantu to remove allegations describing criminal conduct from his pleadings and striking the pleadings for failure to comply.
2. Whether Cantu lacked an adequate remedy by appeal so as to qualify for mandamus relief.

HOLDINGS

1. Cantu was not entitled to mandamus relief because he failed to establish the requirements for mandamus: a clear abuse of discretion and the absence of an adequate remedy by appeal.

KEY QUOTATIONS

“The relator bears the burden of proving these two requirements.” (at 2)

“Even a pro se applicant for a writ of mandamus must show himself entitled to the extraordinary relief he seeks.” (at 2)

FACTUAL BACKGROUND

The trial court ordered relator Antonio G. Cantu to remove allegations describing criminal conduct from his pleadings. After Cantu failed to comply, the trial court struck his pleadings. Cantu sought mandamus relief through an original petition and two supplemental petitions.

PROCEDURAL HISTORY

Cantu filed an original petition for writ of mandamus and two supplemental petitions in the court of appeals. The proceeding arose from trial court cause number 2025CI22843 in the 37th District Court of Bexar County, Texas, and was transferred to the Thirteenth Court of Appeals by order of the Texas Supreme Court. The court denied all three petitions because Cantu failed to meet the requirements for mandamus relief.

DISPOSITION

writ_denied

CASES CITED

- In re Ill. Nat’l Ins., 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding)
- In re Prudential Ins. Co. of Am., 148 S.W.3d 124, 135–36, 138 (Tex. 2004) (orig. proceeding)
- Walker v. Packer, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding)
- In re Dallas HERO, 698 S.W.3d 242, 247 (Tex. 2024) (orig. proceeding)
- In re H.E.B. Grocery Co., 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam)
- Barnes v. State, 832 S.W.2d 424, 426 (Tex. App.—Houston [1st Dist.] 1992, orig. proceeding) (per curiam)

- In re Cantu, No. 13-26-00336-CV, 2026 WL _____, at *__ (Tex. App.—Corpus Christi–Edinburg Apr. __, 2026, orig. proceeding) (mem. op.)
- In re Cantu, No. 13-26-00338-CV, 2026 WL _____, at *__ (Tex. App.—Corpus Christi–Edinburg Apr. __, 2026, orig. proceeding) (mem. op.)

OPINION

In Re Antonio G. Cantu v. the State of Texas

PER CURIAM.

NUMBER 13-26-00337-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN RE ANTONIO G. CANTU

ON PETITION FOR WRIT OF MANDAMUS

MEMORANDUM OPINION

Before Justices Silva, Peña, and Fonseca Memorandum Opinion by Justice Fonseca¹ Relator Antonio G. Cantu filed a pro se petition for writ of mandamus, a supplemental petition for writ of mandamus, and a second supplemental petition for writ of mandamus through which he asserts that the trial court² abused its discretion by 1 See TEX. R. APP. P. 52.8(d) (“When denying relief, the court may hand down an opinion but is not required to do so. When granting relief, the court must hand down an opinion as in any other case.”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions). 2 This original proceeding arises from trial court cause number 2025CI22843 in the 37th District Court of Bexar County, Texas. This original proceeding and two others arising from this same trial court cause number were transferred to this Court by order of the Texas Supreme Court. See Misc. Docket No. ordering relator “to remove all allegations that describe criminal conduct” from his pleadings and by striking his pleadings for failing to do so. A writ of mandamus is an extraordinary remedy available only when the trial court clearly abused its discretion and the party seeking relief lacks an adequate remedy on appeal. *In re Ill. Nat’l Ins.*, 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding); *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). The relator must ordinarily show that: (1) the trial court committed a clear abuse of discretion; and (2) the relator lacks an adequate remedy on appeal. *In re Dallas HERO*, 698 S.W.3d 242, 247 (Tex. 2024) (orig. proceeding); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d at 135–36; *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). “The relator bears the burden of proving these two requirements.” *In re H.E.B. Grocery Co.*, 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam); *Walker*, 827 S.W.2d at 840; see also *Barnes v. State*, 832 S.W.2d 424, 426 (Tex. App.—Houston [1st Dist.] 1992, orig. proceeding) (per curiam) (“Even a pro se applicant for a writ of mandamus must show himself entitled to the extraordinary relief he

seeks.”). The Court, having examined and fully considered the petition for writ of mandamus, the supplemental petition for writ of mandamus, the second supplemental petition for writ of mandamus, and the applicable law, is of the opinion that relator has not met his burden to obtain relief. Accordingly, we deny relator’s petition for writ of mandamus, supplemental 26-9027 (Tex. App. 23, 2026). We dispose of the other two original proceedings by separate memorandum opinions issued on this same date. See *In re Cantu*, No. 13-26-00336-CV, 2026 WL _____, at *__ (Tex. App.—Corpus Christi–Edinburg Apr. __, 2026, orig. proceeding) (mem. op.); *In re Cantu*, No. 13-26-00338- CV, 2026 WL _____, at *__ (Tex. App.—Corpus Christi–Edinburg Apr. __, 2026, orig. proceeding) (mem. op.). 2 petition for writ of mandamus, and second supplemental petition for writ of mandamus.

YSMAEL D. FONSECA

Justice Delivered and filed on the 1st day of May, 2026. 3