

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

In re Anabel Lopez Perez

No. 03-26-00393-CV · No. No. 03-26-00393-CV · Decided April 30, 2026

SUMMARY

The Third Court of Appeals of Texas dismissed a pro se petition for writ of mandamus for want of jurisdiction. The court held that it lacked mandamus jurisdiction over the Austin County Court at Law because Austin County lies outside the court’s appellate district, and the relator had not shown that mandamus was necessary to enforce appellate jurisdiction.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Gisela D. Triana; Darlene Byrne Kelly; Edward Smith Ellis
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	April 30, 2026
DOCKET	No. 03-26-00393-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original mandamus proceeding arising from a divorce-related QDRO dispute.
STANDARD OF REVIEW	The court determined its statutory mandamus jurisdiction and whether the requested writ was necessary to enforce its appellate jurisdiction.
PRECEDENTIAL VALUE	Published
PARTIES	Anabel Lopez Perez, Relator v. Respondent presiding judge of the Austin County Court at Law

TOPICS

- writ of certiorari
- appellate jurisdiction
- appellate procedure
- qdro
- family law procedure

PRACTICE AREAS

- appellate procedure
- family law
- remedies

QUESTIONS PRESENTED

1. Whether the Texas Court of Appeals for the Third District had mandamus jurisdiction over the presiding judge of the Austin County Court at Law.
2. Whether relator demonstrated that issuance of a writ was necessary to enforce the court's appellate jurisdiction.

HOLDINGS

1. The Third Court of Appeals does not have mandamus jurisdiction over court officials of Austin County because Austin County lies outside the court's appellate district.
2. Relator did not demonstrate that exercising the court's writ power was necessary to enforce the court's appellate jurisdiction.

KEY QUOTATIONS

“This Court does not have mandamus jurisdiction over any court officials of Austin County, which lies outside of our appellate district.”

FACTUAL BACKGROUND

The petition concerned a qualified domestic relations order issued in connection with relator's 2024 divorce. Relator alleged that the presiding judge of the Austin County Court at Law had failed to execute and clarify the QDRO.

PROCEDURAL HISTORY

Relator filed a pro se petition for writ of mandamus complaining that the presiding judge of the Austin County Court at Law failed to execute and clarify a QDRO issued in connection with relator's 2024 divorce. The Court of Appeals dismissed the petition for want of jurisdiction.

DISPOSITION

dismissed

OPINION

In Re Anabel Lopez Perez v. the State of Texas

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-26-00393-CV

In re Anabel Lopez Perez

ORIGINAL PROCEEDING FROM AUSTIN COUNTY

MEMORANDUM OPINION

Relator has filed a pro se petition for writ of mandamus complaining that the presiding judge of the Austin County Court at Law has “failed to execute and clarify the QDRO” issued in

connection with relator's 2024 divorce. By statute, this Court has the authority to issue a writ of mandamus against "a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district" and other writs as necessary to enforce our appellate jurisdiction. See Tex. Gov't Code § 22.221 (emphasis added). This Court does not have mandamus jurisdiction over any court officials of Austin County, which lies outside of our appellate district. See id. § 22.201(d) (listing counties that compose Third Court of Appeals District). Nor has relator demonstrated that the exercise of our writ power is necessary to enforce our appellate jurisdiction. See id. § 22.221(a). Accordingly, the petition is dismissed for want of jurisdiction.

Gisela D. Triana, Justice Before Justices
Triana, Kelly, and Ellis Filed: April 30, 2026