

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

In re Antonio G. Cantu

No. 13-26-00336-CV (Tex. App.—Corpus Christi–Edinburg May 1, 2026) (mem. op.) · No. 13-26-00336-CV ·
Decided May 1, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas considered Antonio G. Cantu’s pro se petitions for writ of mandamus challenging the trial court’s failure to disqualify the Texas Attorney General and an Assistant Attorney General as counsel. The court held that Cantu did not meet his burden to obtain mandamus relief and denied both petitions.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, 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	13-26-00336-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding on a pro se petition and supplemental petition for writ of mandamus challenging the trial court's refusal to disqualify the Texas Attorney General and an Assistant Attorney General as counsel in the underlying litigation.
STANDARD OF REVIEW	Mandamus relief requires the relator to establish that the trial court clearly abused its discretion and that the relator lacks an adequate remedy by appeal. The relator bears the burden of proving both requirements.
PRECEDENTIAL VALUE	Memorandum opinion; no reporter citation appears in the opinion text.
PARTIES	Antonio G. Cantu v. State of Texas

TOPICS

appellate procedure

standard of review

civil procedure

remedies

PRACTICE AREAS

civil procedure

appellate procedure

mandamus

QUESTIONS PRESENTED

1. Whether the trial court clearly abused its discretion by failing to disqualify the Texas Attorney General and an Assistant Attorney General as counsel.
2. Whether Cantu lacked an adequate remedy by appeal so as to qualify for mandamus relief.

HOLDINGS

1. Mandamus relief is available only when the trial court clearly abused its discretion and the relator lacks an adequate remedy by appeal.
2. Cantu was not entitled to mandamus relief because he failed to meet his burden to establish the requirements for the extraordinary remedy.

KEY QUOTATIONS

“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.” (at 1)

“The relator bears the burden of proving these two requirements.” (at 1)

FACTUAL BACKGROUND

Antonio G. Cantu filed a pro se petition and supplemental petition for writ of mandamus. He asserted that the trial court abused its discretion by failing to disqualify Ken Paxton, the Attorney General of Texas, and Scot M. Graydon, an Assistant Attorney General, as counsel in the underlying litigation. The appellate court concluded that Cantu had not satisfied the requirements for mandamus relief.

PROCEDURAL HISTORY

The proceeding arose from trial court cause number 2025CI22843 in the 37th District Court of Bexar County, Texas. The Texas Supreme Court transferred the original proceeding to the Thirteenth Court of Appeals. After considering the petition, supplemental petition, and applicable law, the court denied 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)

OPINION

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

PER CURIAM.

NUMBER 13-26-00336-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 and a supplemental petition for writ of mandamus through which he asserts that the trial court² 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. 26-9027 (Tex. Apr. 23, 2026). We dispose of the other two original proceedings by separate memorandum opinions issued on this same date. See In re Cantu, No. 13-26-00337-CV, 2026 WL _____, at *_ (Tex. abused its discretion by failing to disqualify Ken Paxton, Attorney General of Texas, and Scot M. Graydon, Assistant Attorney General of Texas, as counsel in the underlying litigation. 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, and the applicable law, is of the opinion that relator has not met his burden to obtain relief. Accordingly, we deny relator’s petition 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 for writ of mandamus and supplemental petition for writ of mandamus.

YSMAEL D. FONSECA

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