

COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS AT EL PASO

In re Jaime Luevano

No. 08-26-00189-CR · No. No. 08-26-00189-CR · Decided June 8, 2026

SUMMARY

The Eighth District Court of Appeals of Texas dismissed Jaime Luevano’s petition for writ of mandamus for want of jurisdiction. The court held that it lacked jurisdiction to compel a law school to review evidence or appoint counsel and that Luevano had not alleged that mandamus was necessary to enforce the court’s jurisdiction.

CASE DETAILS

COURT	Court of Appeals for the Eighth District of Texas at El Paso
WRITING FOR THE COURT	Gina M. Palafox; Chief Justice Salas Mendoza; Justice Gina M. Palafox; Justice Soto
JURISDICTION	Court of Appeals for the Eighth District of Texas
DECIDED	June 8, 2026
DOCKET	No. 08-26-00189-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding seeking a writ of mandamus.
PRECEDENTIAL VALUE	Nonprecedential; do not publish
PARTIES	Jaime Luevano, Relator v. The State of Texas

TOPICS

- appellate jurisdiction
- appellate procedure
- post-conviction relief
- criminal procedure
- remedies

PRACTICE AREAS

- appellate procedure
- criminal procedure
- post-conviction relief
- mandamus

QUESTIONS PRESENTED

- Whether the court of appeals had jurisdiction to issue a writ of mandamus compelling a law school to review evidence and appoint counsel.
- Whether the filing should be construed as a petition for writ of mandamus.

HOLDINGS

1. A filing seeking to compel another party to perform an act is construed as a petition for writ of mandamus.
2. The court of appeals lacks jurisdiction to issue a writ of mandamus against a law school when the petition does not allege that mandamus is necessary to enforce the court's jurisdiction.

KEY QUOTATIONS

"Mandamus is an extraordinary remedy and issues only where the party has a right to have something done and no other way of compelling its performance." (at 1)

"Because we have no jurisdiction to issue a writ of mandamus against a law school, and Luevano has not alleged that a writ of mandamus is necessary to enforce our jurisdiction, we dismiss the petition for want of jurisdiction." (at 1-2)

FACTUAL BACKGROUND

Luevano, acting without counsel, submitted a one-page document titled "Pre-Writ (11.07) to compel Wesley School of Law for Review of New Evidence and Appointment." The court understood the filing to seek an order requiring the law school to review evidence and appoint counsel for a post-conviction habeas proceeding. Luevano did not allege that mandamus relief was necessary to enforce the appellate court's jurisdiction.

PROCEDURAL HISTORY

Jaime Luevano filed a handwritten document seeking an order compelling Wesley School of Law to review evidence and appoint counsel to pursue a post-conviction writ of habeas corpus. The court construed the filing as a petition for writ of mandamus and dismissed it for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Espinoza v. State, 653 S.W.2d 446, 449 (Tex. App.—San Antonio 1982)
- Espinoza v. State, 669 S.W.2d 736 (Tex. Crim. App. 1984)

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS No. 08-26-00189-CR In re Jaime Luevano, Relator AN ORIGINAL PROCEEDING IN MANDAMUS M E M O R A N D U M O P I N I O N Relator, Jamie Luevano, who is self-represented, has filed a handwritten, one-page document titled, "Pre-Writ (11.07) to compel Wesley School of Law for Review of New Evidence and Appointment." As we understand the filing, Luevano seeks an order from this Court

compelling Wesley School of Law to review evidence and appoint counsel to pursue a post-conviction writ of habeas corpus.

1 Because Luevano’s filing seeks to compel an act, we construe 1 Although Luevano mentions other parties in the body of his document, he does not request that we compel these parties to act, and he does not provide this Court with a related cause number. it as a petition for writ of mandamus. See *Espinoza v. State*, 653 S.W.2d 446, 449 (Tex. App.—San Antonio 1982) (“Mandamus is an extraordinary remedy and issues only where the party has a right to have something done and no other way of compelling its performance.”), judgment aff’d, 669 S.W.2d 736 (Tex.

Crim. App. 1984). Because we lack jurisdiction, we dismiss the petition. An appellate court may 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,” or when “necessary to enforce” our jurisdiction. Tex. Gov’t Code § 22.221(a), (b).

Because we have no jurisdiction to issue a writ of mandamus against a law school, and Luevano has not alleged that a writ of mandamus is necessary to enforce our jurisdiction, we dismiss the petition for want of jurisdiction. GINA M. PALAFOX, Justice June 8, 2026 Before Salas Mendoza, C.J., Palafox and Soto, JJ. (Do Not Publish) 2