

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

In re Larissa Baskin

No. 03-25-00984-CV · No. No. 03-25-00984-CV · Decided December 17, 2025

SUMMARY

The Texas Court of Appeals, Third District, dismissed Larissa Baskin’s petition for writ of mandamus for want of jurisdiction. The court held that it lacked authority to issue a mandamus writ against a justice of the peace where the writ was not necessary to enforce the court’s appellate jurisdiction.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Darlene Byrne, Chief Justice; Justice Crump; Justice Ellis
JURISDICTION	Texas Court of Appeals, Third District, Austin
DECIDED	December 17, 2025
DOCKET	No. 03-25-00984-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding in which Larissa Baskin petitioned for a writ of mandamus directing a justice of the peace to properly consider or enforce a subpoena duces tecum.
STANDARD OF REVIEW	The court reviewed its statutory authority and jurisdiction to issue a writ of mandamus.
PRECEDENTIAL VALUE	published
PARTIES	Larissa Baskin, relator v. Respondent justice of the peace

TOPICS

- writ of certiorari
- subject matter jurisdiction
- appellate jurisdiction
- appellate procedure
- civil procedure

PRACTICE AREAS

- Civil procedure
- Appellate procedure
- Mandamus jurisdiction

QUESTIONS PRESENTED

1. Whether the Texas Court of Appeals, Third District, had jurisdiction to issue a writ of mandamus against a justice of the peace.

HOLDINGS

1. The court of appeals lacked jurisdiction over Baskin's mandamus petition because the petition sought a writ against a justice of the peace, the requested writ was not necessary to enforce the court's appellate jurisdiction, and the statutory exceptions for certain magistrates and associate judges did not apply.

FACTUAL BACKGROUND

Larissa Baskin was a party to a proceeding before a justice of the peace in Travis County Precinct One. She sought mandamus relief requiring the justice of the peace to consider or enforce a subpoena duces tecum. The requested writ was not necessary to enforce the court of appeals' appellate jurisdiction.

PROCEDURAL HISTORY

Baskin filed a petition for writ of mandamus in the Texas Court of Appeals, Third District, arising from a proceeding before a justice of the peace for Travis County Precinct One. The court concluded that it lacked jurisdiction to issue the requested writ and dismissed the petition for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Easton v. Franks, 842 S.W.2d 772, 773 (Tex. App.—Houston [1st Dist.] 1992, orig. proceeding)
- In re Ochoa, No. 04–10–00914–CV, 2011 WL 192691, at *1 (Tex. App.—San Antonio Jan. 12, 2011, orig. proceeding)

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-00984-CV In re Larissa Baskin ORIGINAL PROCEEDING FROM TRAVIS COUNTY MEMORANDUM OPINION Relator Larissa Baskin has filed a petition for writ of mandamus asking this Court to order a justice of the peace to “[p]roperly consider or enforce the Subpoena Duces Tecum.” Baskin’s petition indicates that she is a party to a proceeding before the justice of the peace for Travis County Precinct One.

This Court lacks jurisdiction to provide the relief requested. This Court is authorized by statute 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 Ann. § 22.221(b).

We may also issue writs of mandamus against a judge of a district court who is acting as a magistrate at a court of inquiry or an associate judge of a district or county court under

circumstances not presented in this petition. See *id.* § 22.221(c).

Because relator seeks a writ against a justice of the peace and the writ is not necessary to enforce our appellate jurisdiction, we lack jurisdiction over relator's petition for writ of mandamus. See *Easton v. Franks*, 842 S.W.2d 772, 773 (Tex. App.—Houston [1st Dist.] 1992, orig. proceeding); see also *In re Ochoa*, No. 04–10–00914–CV, 2011 WL 192691, at *1 (Tex.

App.—San Antonio Jan. 12, 2011, orig. proceeding). We dismiss this petition for writ of mandamus for want of jurisdiction. _____ Darlene Byrne, Chief Justice Before Chief Justice Byrne, Justices Crump and Ellis Filed: December 17, 2025 2