

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re Michael Ratliff

No. 01-25-00956-CR (Tex. App.—Houston [1st Dist.] Dec. 9, 2025) · No. 01-25-00956-CR · Decided December 9, 2025

SUMMARY

The Texas Court of Appeals for the First District dismissed Michael Ratliff’s petition for writ of mandamus for lack of jurisdiction. The court held that it lacked authority to compel a district clerk to provide records because Ratliff’s conviction was final, no appeal was pending, and any post-conviction relief in a final felony case must proceed through an Article 11.07 habeas application in the Texas Court of Criminal Appeals.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Rivas-Molloy; Justice Gunn; Justice Caughey
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	December 9, 2025
DOCKET	01-25-00956-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding on Ratliff's pro se petition for writ of mandamus seeking an order compelling the Harris County District Clerk to provide a complete copy of the appellate clerk's record.
STANDARD OF REVIEW	Jurisdiction is determined under Texas Government Code section 22.221; a court of appeals may issue mandamus against a district clerk only when necessary to enforce the appellate court's jurisdiction.
PRECEDENTIAL VALUE	Unpublished; not designated for publication under Texas Rule of Appellate Procedure 47.2(b).
PARTIES	Michael Ratliff, Relator v. The State of Texas

TOPICS

- appellate jurisdiction
- writ of certiorari
- appellate procedure
- state post-conviction relief
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court of appeals had mandamus jurisdiction to compel the Harris County District Clerk to provide documents allegedly omitted from the appellate record after Ratliff's conviction had become final.
2. Whether any relief relating to Ratliff's final felony conviction could be obtained through the court of appeals rather than through a post-conviction writ of habeas corpus in the Texas Court of Criminal Appeals.

HOLDINGS

1. A Texas court of appeals lacks authority to issue mandamus against a district clerk unless the writ is necessary to enforce the court of appeals' jurisdiction.
2. Because Ratliff's conviction was final and no appeal was pending, the court of appeals had no jurisdiction to enforce through mandamus any relief relating to the conviction.
3. Only the Texas Court of Criminal Appeals has jurisdiction over final post-conviction felony proceedings governed by article 11.07 of the Texas Code of Criminal Procedure; courts of appeals have no jurisdiction over such post-conviction habeas writs.

KEY QUOTATIONS

“Courts of appeals have no jurisdiction over post-conviction writs of habeas corpus in felony cases. Article 11.07 contains no role for the courts of appeals.” (at 3)

FACTUAL BACKGROUND

Ratliff was convicted of capital murder on March 2, 2020, and sentenced to life imprisonment without the possibility of parole. During his Anders appeal, the district clerk provided him a copy of the record, and the court affirmed the conviction in February 2022; the mandate issued on June 22, 2022, making the conviction final. Nearly two and a half years later, Ratliff alleged that documents were missing from the copy of the appellate record and sought mandamus relief compelling the district clerk to provide them.

PROCEDURAL HISTORY

Ratliff was convicted of capital murder in the 179th District Court of Harris County and sentenced to life imprisonment without parole. The court of appeals affirmed his conviction in an Anders appeal, granted appointed counsel's motion to withdraw, denied rehearing, and issued its mandate in June 2022. In November 2025, after the conviction had become final, Ratliff sought mandamus relief against the district clerk; the court dismissed the petition for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Anders v. California*, 386 U.S. 738 (1967)
- *Ratliff v. State*, No. 01-20-00337-CR, 2022 WL 479909, at *1 (Tex. App.—Houston [1st Dist.] Feb. 17, 2022, no pet.) (mem. op., not designated for publication)
- *Beal v. State*, 91 S.W.3d 794, 796 (Tex. Crim. App. 2002)
- *In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding)
- *Olivo v. State*, 918 S.W.2d 519, 525 n. 8 (Tex. Crim. App. 1996)
- *Bd. of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995)
- *In re McAfee*, 53 S.W.3d 715, 717 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding)
- *In re Briscoe*, 230 S.W.3d 196, 196 (Tex. App.—Houston [1st Dist.] 2006, orig. proceeding)

OPINION

In Re Michael Ratliff v. the State of Texas

PER CURIAM.

Opinion issued December 9, 2025 In The Court of Appeals For The First District of Texas
NO. 01-25-00956-CR

IN RE MICHAEL RATLIFF, Relator Original Proceeding on Petition for Writ of Mandamus
MEMORANDUM OPINION

Michael Ratliff, incarcerated and acting pro se, has filed a petition for writ of mandamus (1) claiming that the copy of the record he received during the appeal of his now final conviction was incomplete and (2) requesting that we compel the Harris County District Clerk to send Ratliff “a complete copy of the appellate clerk’s record.”¹ We dismiss the petition for lack of jurisdiction. 1 The underlying case is *The State of Texas v. Michael Ratliff*, cause number 1522186, in the 179th District Court of Harris County, Texas. On March 2, 2020, Ratliff was convicted of capital murder and sentenced to life imprisonment without the possibility of parole. On appeal, Ratliff’s appointed counsel filed a motion to withdraw, along with an *Anders* brief stating that the record presents no reversible error and that, therefore, the appeal is without merit and is frivolous. See *Anders v. California*, 386 U.S. 738 (1967). Pursuant to an order from our Court, the district clerk provided Ratliff with a copy of the record on October 26, 2020. Ratliff subsequently filed a pro se response to counsel’s *Anders* brief. On February 12, 2022, our Court issued an opinion affirming the trial court’s judgment and granting counsel’s motion to withdraw. See *Ratliff v. State*, No. 01-20-00337-CR, 2022 WL 479909, at *1 (Tex. App.—Houston [1st Dist.] Feb. 17, 2022, no pet.) (mem. op., not designated for publication). Ratliff filed a motion for rehearing on March 3, 2022, that our Court denied on April 14, 2022. Our mandate issued on June 22, 2022, and Ratliff’s conviction became final. See *Beal v. State*, 91 S.W.3d 794, 796 (Tex. Crim. App. 2002) (conviction becomes final when appellate court issues its mandate affirming conviction). On November 17, 2025—almost two and a half years after his conviction became final—Ratliff filed

the present petition for writ of mandamus requesting that we compel the district clerk to send documents Ratliff claims should have been included in the copy of the appellate record he received in October 2020. 2 This Court’s mandamus jurisdiction is governed by Section 22.221 of the Texas Government Code. See TEX. GOV’T CODE § 22.221. A court of appeals may issue writs of mandamus against (1) a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district; (2) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52 of the Code of Criminal Procedure in the court of appeals district; or (3) an associate judge of a district or county court appointed by a judge under Chapter 201 of the Family Code in the court of appeals district for the judge who appointed the associate judge. Id. § 22.221(b). The courts of appeals also may issue all writs necessary to enforce the court of appeals’ jurisdiction. Id. § 22.221(a). We have no authority to issue a writ of mandamus against a district clerk unless it is necessary to enforce our jurisdiction. See *In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding) (holding that court of appeals has no jurisdiction to issue writ of mandamus against district clerk unless necessary to enforce its jurisdiction). Ratliff has not claimed or shown that the requested relief is necessary to enforce the jurisdiction of our Court. Here, there is no jurisdiction for our Court to enforce because Ratliff’s conviction is final, and no appeal is pending in this Court. Any relief related to Ratliff’s conviction can only be granted by a post-conviction writ of habeas corpus. Only the Texas Court of Criminal Appeals has jurisdiction in final post-conviction 3 felony proceedings, which are governed by Article 11.07 of the Code of Criminal Procedure. See TEX. CODE CRIM. PROC. art. 11.07; *Olivo v. State*, 918 S.W.2d 519, 525 n. 8 (Tex. Crim. App. 1996); *Bd. of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995); *In re McAfee*, 53 S.W.3d 715, 717 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). “Courts of appeals have no jurisdiction over post-conviction writs of habeas corpus in felony cases. Article 11.07 contains no role for the courts of appeals.” *In re Briscoe*, 230 S.W.3d 196, 196 (Tex. App.—Houston [1st Dist.] 2006, orig. proceeding) (internal citations omitted). Accordingly, we dismiss the petition for lack of jurisdiction. Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Rivas-Molloy, Gunn, and Caughey. Do not publish. TEX. R. APP. P. 47.2(b). 4