

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

In re 7-Eleven, Inc.

No. 13-25-00628-CV (Tex. App.—Corpus Christi–Edinburg Nov. 26, 2025) (mem. op.) · No. No. 13-25-00628-CV · Decided November 26, 2025

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed 7-Eleven, Inc.’s petition for writ of mandamus for want of jurisdiction. The court held that the petition challenged the judge of the 229th District Court of Starr County, which lies within the Fourth Court of Appeals District rather than the Thirteenth Court’s geographic district. The court also found no basis to exercise mandamus jurisdiction to enforce its own jurisdiction.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Justice Cron; Chief Justice Tijerina; Justice Fonseca
JURISDICTION	Texas Court of Appeals, Thirteenth District
DECIDED	November 26, 2025
DOCKET	No. 13-25-00628-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	7-Eleven, Inc. petitioned for a writ of mandamus challenging the trial court's denial of its motions for leave to designate responsible third parties.
STANDARD OF REVIEW	Mandamus 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 also must provide an appendix and record sufficient to support relief.
PRECEDENTIAL VALUE	published memorandum opinion
PARTIES	7-Eleven, Inc. v. The State of Texas

TOPICS

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

PRACTICE AREAS

civil procedure

appellate procedure

remedies

QUESTIONS PRESENTED

1. Whether the Thirteenth Court of Appeals had jurisdiction to issue a writ of mandamus against the judge of the 229th District Court of Starr County.
2. Whether the petition could invoke the court's authority to issue writs necessary to enforce its jurisdiction.

HOLDINGS

1. The Thirteenth Court of Appeals lacks jurisdiction to issue a writ of mandamus against the judge of the 229th District Court of Starr County because Starr County is outside the Thirteenth Court's geographic district and lies within the Fourth Court of Appeals District.
2. The Thirteenth Court of Appeals could not exercise its authority to issue a writ necessary to enforce its jurisdiction because 7-Eleven did not contend that such relief was necessary and the record did not indicate that it was.

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)

“Thus, we lack jurisdiction to issue a writ against the judge of the 229th District Court of Starr County.” (at 2)

“Accordingly, we dismiss the petition for writ of mandamus for want of jurisdiction.” (at 2)

FACTUAL BACKGROUND

7-Eleven sought mandamus relief from the denial of motions for leave to designate responsible third parties. The challenged order was issued by the judge of the 229th District Court of Starr County. Starr County lies within the geographic district of the Fourth Court of Appeals, not the Thirteenth Court of Appeals.

PROCEDURAL HISTORY

The proceeding arose from trial court cause number DC-24-64 in the 229th District Court of Starr County. The Thirteenth Court of Appeals dismissed the mandamus petition after determining that it lacked geographic jurisdiction over the Starr County district court and that the petition did not invoke the court's jurisdiction-enforcement authority.

DISPOSITION

dismissed

CASES CITED

- In re Ill. Nat'l Ins., 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding)
- In re H.E.B. Grocery Co., 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam)
- Walker v. Packer, 827 S.W.2d 833, 840 (Tex. 1992) (orig. proceeding)
- In re Cook, 394 S.W.3d 668, 671 (Tex. App.—Tyler 2012, orig. proceeding)

OPINION

PER CURIAM.

NUMBER 13-25-00628-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS CORPUS CHRISTI – EDINBURG IN RE 7-ELEVEN, INC. ON APPEAL FROM THE 229TH DISTRICT COURT OF STARR COUNTY, TEXAS MEMORANDUM OPINION Before Chief Justice Tijerina and Justices Cron and Fonseca Memorandum Opinion by Justice Cron1 By petition for writ of mandamus, relator 7-Eleven, Inc. complains that the trial court abused its discretion by denying relator's motions for leave to designate responsible third parties.

See TEX. CIV. PRAC. & REM. CODE ANN. § 33.004. The petition arises from trial court cause number DC-24-64 in the 229th District Court of Starr County, Texas. 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).

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). "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 v. Packer, 827 S.W.2d 833, 840 (Tex. 1992) (orig. proceeding). In addition to other requirements, the relator must provide an appendix and record sufficient to support the claim for relief. See generally TEX. R. APP. P. 52.3, 52.7(a). Article V, § 6 of the Texas Constitution delineates the appellate jurisdiction of the courts of appeals, and states that the courts of appeals "shall have such other jurisdiction, original and appellate, as may be prescribed by law." TEX. CONST. art. V, § 6(a).

Section 22.221 of the Texas Government Code provides the main source of original jurisdiction for the intermediate courts of appeals. See TEX. GOV'T CODE ANN. § 22.221; In re Cook, 394 S.W.3d 668, 671 (Tex. App.—Tyler 2012, orig. proceeding).

In pertinent part, this section provides that an intermediate appellate court may issue a writ of mandamus against specified judges in its district and "all other writs necessary to enforce the jurisdiction of the court." TEX. GOV'T CODE ANN. § 22.221(a), (b).

The Court, having examined and fully considered the petition for writ of mandamus and the limited record provided, is of the opinion that we lack jurisdiction over this original proceeding. Relator seeks mandamus relief against the judge of the 229th District Court of Starr County.

However, Starr County is not located within the geographic district for the Thirteenth Court of Appeals but is instead located within the geographic district for the 2 Fourth Court of Appeals. See id. § 22.201(e) (delineating the counties comprising the Fourth Court of Appeals District); id. § 22.201(n) (delineating the counties comprising the Thirteenth Court of Appeals District).

Thus, we lack jurisdiction to issue a writ against the judge of the 229th District Court of Starr County. See id. § 22.221(b). Additionally, relator does not contend that the writ is necessary to enforce the jurisdiction of this Court, and our review does not indicate otherwise. See id. § 22.221(a).

Accordingly, we dismiss the petition for writ of mandamus for want of jurisdiction. JENNY CRON Justice Delivered and filed on the 26th day of November, 2025. 3