

COURT OF APPEALS OF THE THIRTEENTH DISTRICT OF TEXAS

In re Amber Aimee Moreno

No. 13-25-00683-CR · No. 13-25-00683-CR · Decided December 29, 2025

SUMMARY

The Thirteenth Court of Appeals of Texas considered Amber Aimee Moreno’s petition for writ of mandamus challenging the trial court’s jurisdiction and alleged failure to perform ministerial duties. The court held that Moreno did not meet her burden to establish entitlement to mandamus relief and denied both her request for temporary relief and her petition.

OPINION

PER CURIAM.

NUMBER 13-25-00683-CR COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI – EDINBURG IN RE AMBER AIMEE MORENO ON PETITION FOR
WRIT OF MANDAMUS MEMORANDUM OPINION Before Chief Justice Tijerina and Justices
Peña and West Memorandum Opinion by Justice West1 Relator Amber Aimee Moreno has filed a
petition for writ of mandamus asserting by seven issues that the trial court lacks jurisdiction and
that it failed to comply with its ministerial duties.

Relator requests temporary relief in conjunction with her petition for writ of mandamus. 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).

In a criminal case, to be entitled to mandamus relief, the relator must establish both that the act
sought to be compelled is a ministerial act not involving a discretionary or judicial decision and
that there is no adequate remedy at law to redress the alleged harm. See *In re Meza*, 611 S.W.3d
383, 388 (Tex. Crim. App. 2020) (orig. proceeding); *In re Harris*, 491 S.W.3d 332, 334 (Tex.

Crim. App. 2016) (orig. proceeding) (per curiam); *In re McCann*, 422 S.W.3d 701, 704 (Tex.
Crim. App. 2013) (orig. proceeding). If the relator fails to meet both requirements, then the
petition for writ of mandamus should be denied. See *State ex rel. Young v. Sixth Jud. Dist. Ct. of
Apps. at Texarkana*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding).

It is the relator’s burden to properly request and show entitlement to mandamus relief. See *id.*; *In
re Pena*, 619 S.W.3d 837, 839 (Tex. App.—Houston [14th Dist.] 2021, orig. proceeding). The
Court, having examined and fully considered the petition for writ of mandamus and the applicable
law, is of the opinion that relator has not met her burden to obtain relief.

Accordingly, we deny relator's request for temporary relief and her petition for writ of mandamus. JON WEST Justice Do not publish. TEX. R. APP. P. 47.2 (b). Delivered and filed on the 29th day of December, 2025. 2

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/court-of-appeals-of-the-thirteenth-district-of-texas-court-of-appeals-of-the-thirteenth-district-of/2025/in-re-amber-aimee-moreno-wxcsqwro>