

Denied and Opinion Filed January 26, 2018



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-18-00068-CV

IN RE STACI WILLIAMS, Relator

**Original Proceeding from the 44th Judicial District Court
Dallas County, Texas
Trial Court Cause No. 18-00641**

MEMORANDUM OPINION

Before Justices Francis, Evans, and Schenck
Opinion by Justice Francis

In this original proceeding, relator Staci Williams sought relief from a temporary restraining order requiring Carol Donovan, Chair of the Dallas County Democratic Party (DCDP), and the DCDP to remove Williams from the March 2018 Democratic Primary Ballot as a candidate for the office of Judge of the 101st Judicial District Court of Dallas County. On January 24, 2018, the Court conditionally granted relator's petition for writ of mandamus by written opinion and ordered the trial court to vacate the temporary restraining order. We determined that the proceeding in the district court was moot as to the primary election ballot at the time it was heard, and the resulting order was void.

After the opinion issued, the real parties in interest Michael G. "Mike" Lee and the Dallas County Republican Party (DCRP) filed a "Cross-Petition for Writ of Mandamus." In their cross-petition, Lee and DCRP seek a writ of mandamus directing Donovan and the DCDP to reject Williams's application to be on the primary ballot. That relief is unavailable because overseas

and military ballots have already been printed and mailed for the March primary. *See In re Meyer*, No. 05-16-00063-CV, 2016 WL 375033, at *4 (Tex. App.—Dallas Feb. 1, 2016, orig. proceeding) (mandamus requesting same relief as cross-relators denied when filed six days after overseas ballots mailed).

Accordingly, we deny the cross-petition for writ of mandamus. The Court will not entertain motions for rehearing. *See* TEX. R. APP. P. 2.

/Molly Francis/
MOLLY FRANCIS
JUSTICE

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