



Case Summaries July 14, 2023

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OPINIONS

JURISDICTION

Mandamus Jurisdiction

In re Renshaw, ___ S.W.3d ___, 2023 WL ___ (Tex. July 14, 2023) (per curiam) [[22-1076](#)]

The central issue in this proceeding is whether a court of appeals must address a petitioner's request for mandamus relief when he expressly requests it as alternative relief.

Timothy Renshaw petitioned the trial court for release from his civil commitment, which the court denied without a hearing. Renshaw petitioned the court of appeals for writ of habeas corpus and, in the alternative, requested that the court "consider this a petition for a writ of mandamus." The court dismissed his habeas petition for want of original jurisdiction but did not address Renshaw's express request for mandamus relief.

Without hearing oral argument, the Supreme Court conditionally granted mandamus relief and directed the court of appeals to withdraw its previous opinion and to reconsider Renshaw's habeas corpus petition as a petition for writ of mandamus, as he requested.