
IN THE
COURT OF APPEALS
FOR THE FIFTH DISTRICT
OF TEXAS AT DALLAS

FILED IN
5th COURT OF APPEALS
DALLAS, TEXAS
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Ruben Morin
Clerk

CAUSE NO. 05-25-01605-CR

TRIAL CAUSE NO. 380-83365-2018

380-83364-2018

IN RE: ALEXIS LORENE LANDRUM,

Relator.

**MOTION FOR EN BANC REHEARING AND EMERGENCY
STAY**

Filed December 19, 2025

**TO THE HONORABLE COURT OF APPEALS FOR THE FIFTH
DISTRICT OF TEXAS:**

COMES NOW, Alexis Lorene Landrum, Relator, pro se, and files this Motion for En Banc Rehearing pursuant to Texas Rule of Appellate Procedure 49.5 and 41.2(c). Relator respectfully shows:

**I. EN BANC REVIEW IS NECESSARY FOR UNIFORMITY AND
EXTRAORDINARY CIRCUMSTANCES**

This case presents conflicting decisions within this Court on trial court jurisdiction during pending mandamus proceedings, and extraordinary circumstances warrant full-court review. TRAP 41.2(c) authorizes en banc consideration where necessary to maintain uniformity of the Court's decisions or due to extraordinary circumstances. Relator's mandamus sought to enforce Texas Code of Criminal Procedure Article 42A discharge orders (Cause No. 380-83365-2018, 296th District Court, Collin County), yet the panel denial overlooked critical procedural defects created by the trial court. This Court conflicts internally on jurisdiction post-discharge: *In re Ashton*, No. 05-08-00937-CV, 2008 WL 1991077 (Tex. App.—Dallas May 7, 2008, orig. proceeding) (holding trial court lacks jurisdiction over party not properly before it post-supervision termination, mandamus proper), versus later panel denials overlooking Art. 42A.111 defects during pending mandamus (e.g., suppressed records enabling void MTAs, as here). *In re Paxton*, 706 S.W.3d 327 (Tex. 2024), demands uniformity on ministerial record duties (Gov't Code §51.907). En banc review resolves this split, preventing irreparable harm from retaliatory capias. As in *In re Ashton*, No. 05-08-00937-CV, 2008 WL 1991077 (Tex. App.—Dallas May 7, 2008, orig. proceeding), this Court is again confronted with a void order entered by a trial court that lacked jurisdiction over the affected party. In *Ashton*, the Court held mandamus appropriate where the trial court granted relief against a trust that was not properly before the court, rendering the order void and obviating any need to show an inadequate appellate remedy. Likewise here, after Relator's discharge under Code of Criminal Procedure Article 42A.111, the 296th District Court lacked jurisdiction to proceed on a new Motion to Adjudicate Guilt and capias absent a timely motion and capias before expiration, and the Court of Criminal Appeals has held that a revocation after the lawful supervision period expires—without a timely motion and capias—is void for lack

of jurisdiction. See, e.g., *Ex parte Lozoya* (CCA) (holding trial court lacked jurisdiction to revoke where the lawful community supervision period had expired without a timely motion to revoke and *capias*). Thus, under *Ashton* and *Lozoya*, the challenged MTA and *capias* here are void orders that may be corrected by *mandamus* without any showing of an adequate remedy by appeal.

II. FACTUAL BACKGROUND AND TRIAL COURT ABUSE

On date of MTA filing, e.g., December 16, 2025—one day before this Court's December 17, 2025 denial, the trial court issued its Motion to Adjudicate Guilt ("MTA") and *capias* warrant in direct response to Relator's *mandamus* filings, without jurisdiction post-discharge. The trial court further refused to produce essential records (e.g., signed reinstatement orders under Article 42A.202) despite Relator's repeated requests, denying Relator a complete record for *mandamus* review. These actions—issuing an MTA/warrant mid-*mandamus* and withholding records—preordained the panel's denial by depriving Relator of due process and a ministerial duty to provide records (Gov't Code §51.907; TRAP 52).

III. NO ADEQUATE REMEDY AT LAW EXIST

Without en banc rehearing, Relator faces immediate arrest on a void *capias*, irreparable harm from adjudication without jurisdiction, and no adequate appellate remedy post-confinement. The trial court's record suppression forced an incomplete *mandamus* record, rendering ordinary appeal futile. In re *Paxton*, 706 S.W.3d 327 (Tex. 2024) (clear right to *mandamus* where ministerial duty violated). Attached as Exhibit A are the trial court's discharge orders dated June 11, 2024 and October 23, 2024, confirming completion of community supervision under CCP Art. 42A.111(a) and terminating jurisdiction absent signed reinstatement under Art. 42A.202. No such reinstatement appears in the record, rendering the December 15, 2025 *capias* and MTA void ab initio. These orders establish Relator's clear right to *mandamus* relief. In re *Paxton*, 706 S.W.3d 327 (Tex. 2024).

IV. EMERGENCY STAY REQUESTED

Relator requests an emergency stay of trial court proceedings under TRAP 52.10 pending en banc resolution, to prevent execution of the void *capias* and preserve the status quo. Absent stay, Relator suffers irreparable injury.

TRAP 52.10(a) CERTIFICATE OF EXPEDITED NOTICE

Pursuant to Texas Rule of Appellate Procedure 52.10(a), Relator certifies that on December 19, 2025, at 11:45 AM CST, Relator notified all parties of this motion and its imminent filing by expedited means, including:

Email to Collin County District Attorney's Office and prosecutor

ahaynes@co.collin.tx.us and gwillis@co.collin.tx.us

All parties received or will receive actual notice before any relief is sought. Copies of email confirmation are attached hereto as Exhibit B

PRAYER

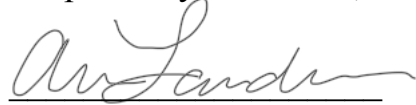
Relator prays the Court:

1. grant this Emergency Motion [or en banc rehearing];
2. issue a stay of all 296th District Court proceedings in Cause No. 380-83365-2018, including execution of the December 15, 2025 capias;
3. direct the trial court to produce all missing records (e.g., signed reinstatement orders under CCP Art. 42A.202) within 7 days;
4. conditionally grant mandamus relief vacating the void MTA/capias for lack of jurisdiction; and
5. grant such other relief as just.

VERIFICATION

I, Alexis Lorene Landrum, Relator, verify under penalty of perjury that the foregoing is true and correct, including the attached Exhibit A discharge orders which are true and correct copies of the original court documents. Further, Relator certifies diligent efforts to obtain any missing reinstatement orders were unavailing, as detailed in prior mandamus filings.

Respectfully submitted,



Alexis Lorene Landrum

Pro Se Relator

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CERTIFICATE OF SERVICE

I certify a true copy was served on the Collin County District Attorney's Office, 2100 Bloomdale Rd., McKinney, TX 75071, and Real Party in Interest via e-service on December 19, 2025.

/s/ Alexis Lorene Landrum

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