
Case No. 05-25-_____ - _____

To be assigned

FILED IN
5th COURT OF APPEALS
DALLAS, TEXAS

12/2/2025 6:53:11 PM

Ruben Morin
Clerk

IN THE

COURT OF APPEALS

FIFTH DISTRICT

AT DALLAS

IN RE ALEXIS LORENE LANDRUM,

Relator ,

v.

THE HONORABLE JOHN ROACH JR., Presiding Judge

296th District Court, et al., Respondents.

ORIGINAL PETITION FOR WRIT OF MANDAMUS

ORIGINAL PROCEEDING

Cause Nos. 380-83364-2018 (case 1) and 380-83365-2018 (case 2)—Trial Court
05-25-00173-CR— prior appeals related to this case.

Filed December 2, 2025

IDENTITY OF PARTIES AND COUNSEL

Relator :

Alexis Lorene Landrum, Pro Se
517 W Owing Street,
Denison, Texas 75020,
Phone: 469-965-5590,
Email: servelandrum@gmail.com

Respondent

The Honorable John Roach Jr.,
Collin County Courthouse,
2100 Bloomdale Road,
McKinney, Texas 75071

Real Party in Interest/Interested Parties

The State of Texas, through the Collin
County District Attorney's Office,
2100 Bloomdale Road, Suite 200,
McKinney, Texas 75071
Greg WILLIS, Amy MURPHY, John ROLATOR, Michael KOEL.
Collin County District Clerk's Office.
Collin County Courthouse,
2100 Bloomdale Road,
McKinney, Texas 75071
Michael GOULD, Rebeka HIGGINS

TABLE OF CONTENTS

IDENTITY OF PARTIES AND COUNSEL	2
TABLE OF CONTENTS	3
TABLE OF AUTHORITIES	3
STATEMENT OF THE CASE	5
STATEMENT OF JURISDICTION	5
STATEMENT OF FACTS	8
Procedural Overview	8
SUMMARY OF THE ARGUMENT	11
ARGUMENT	11
PRAAYER FOR RELIEF	17
CERTIFICATION	19
CERTIFICATE OF SERVICE	20
CERTIFICATE OF COMPLIANCE	21
VERIFICATION OF MANDAMUS RECORD	22
PETITION APPENDIX (TRAP 52.3(k)) Appendix B – Table of Authorities (Cases)	23
PETITION APPENDIX (TRAP 52.3(k)) Appendix C – Statutes and Rules	24

TABLE OF AUTHORITIES

Cases

1. Ex parte Harrington, 310 S.W.3d 452 (Tex. Crim. App. 2010)
2. Ex parte Moss, 677 S.W.2d 937 (Tex. Crim. App. 1984)
3. In re Gomez, 72 S.W.3d 779 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding)
4. In re Lassiter, 381 S.W.3d 857 (Tex. App.—Texarkana 2012, orig. proceeding)
5. In re McAllen Medical Center , Inc., 275 S.W.3d 458 (Tex. 2008)
6. In re McCann, 422 S.W.3d 701 (Tex. Crim. App. 2013)
7. In re Prudential Ins. Co. of Am., 148 S.W.3d 124 (Tex. 2004)
8. In re Reece, 341 S.W.3d 360 (Tex. 2011)
9. In re Swearingen, 422 S.W.3d 42 (Tex. Crim. App. 2013)
- 10.State v. Bates, 889 S.W.2d 306 (Tex. Crim. App. 1994)
- 11.State ex rel. Curry v. Gray, 726 S.W.2d 125 (Tex. Crim. App. 1987)

- 12.State ex rel. Weeks v. Houston, 470 S.W.2d 820 (Tex. 1971)
- 13.Ex parte White, 506 S.W.3d 39 (Tex. Crim. App. 2016)
- 14.Garza v. Texas Alcoholic Beverage Commission, 138 S.W.3d 609 (Tex. App.—Houston
15.[14th Dist.] 2004)
- 16.CT Walker v. Packer, 827 S.W.2d 833 (Tex. 1992)
- 17.Chambers v. NASCO, Inc., 501 U.S. 32 (1991)
- 18.Boykin v. Alabama, 395 U.S. 238 (1969)
- 19.Strickland v. Washington, 466 U.S. 668 (1984)
- 20.Gideon v. Wainwright, 372 U.S. 335 (1963)
- 21.Douglas v. California, 372 U.S. 353 (1963)
- 22.Holland v. Florida, 560 U.S. 631 (2010)

Statutes and Rules

- 23.Tex. Code Crim. Proc. art. 1.051 (Appointment of Counsel)
- 24.Tex. Code Crim. Proc. art. 15.17 (Magistrate Hearing and Counsel)
- 25.Tex. Code Crim. Proc. art. 42A (Community Supervision)
- 26.Tex. Code Crim. Proc. art. 42A.051 (Discharge)
- 27.Tex. Code Crim. Proc. art. 42A.052 (Limited Modification Authority)
- 28.Tex. Code Crim. Proc. art. 42A.103 (Jurisdiction After Expiration)
- 29.Tex. Code Crim. Proc. art. 42A.108 (Motion to Adjudicate)
- 30.Tex. Gov't Code §§ 22.002, 22.221 (Appellate Jurisdiction)
- 31.Tex. R. App. P . 18.1 (Mandate)
- 32.Tex. R. App. P . 52 (Original Proceedings)
- 33.Tex. R. App. P . 52.10 (Emergency Relief)
- 34.Texas Rules of Civil Procedure 301 (Signed Orders)
- 35.Texas Rules of Civil Procedure 21a (Notice and Service)
- 36.Collin County Local Rule 1.2 (Court Orders)
- 37.Tex. Const. art. I, § 19 (Due Process)

STATEMENT OF THE CASE

This case arises from systematic violations of Relator's fundamental rights to liberty, due process, and ineffective counsel occurring in the 296th District Court

of Collin County, Texas, following valid discharge orders entered on June 11, 2024 (Case 1) and October 23, 2024 (Case 2). Despite final discharge, the trial court has engaged in a course of conduct including:

1. attempting to vacate the discharge via an unsigned docket entry.
2. issuing an arrest warrant and detaining Relator for 67 days without a magistrate hearing or appointment of counsel
3. coercing a plea through false binary choices.
4. denying appellate counsel, and
5. continuing threats of renewed prosecution based on void proceedings. This conduct occurs entirely without jurisdictional authority, following appellate mandate on September 9, 2025. Relator seeks mandamus relief to terminate all unlawful enforcement and declare her discharge final and valid.

STATEMENT OF JURISDICTION

This Honorable Court possesses jurisdiction to issue a writ of mandamus pursuant to Texas Government Code sections 22.002 and 22.221, which confer appellate and original proceeding jurisdiction on the Court of Appeals. Texas Rule of Appellate Procedure 52 governs original proceedings in appellate courts, and TRAP 52.10 provides emergency relief procedures. This petition constitutes a criminal original proceeding seeking mandamus relief against the Honorable John Roach Jr., district judge of Collin County, Texas, acting in his official capacity as Presiding Judge of the 296th District Court. Under *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135 (Tex. 2004), mandamus relief is appropriate where the respondent judge abused discretion and the relator has no adequate remedy by appeal. Under *State ex rel. Curry v. Gray*, 726 S.W.2d 125, 126 (Tex. Crim. App. 1987), mandamus relief is warranted when a trial court acts entirely without jurisdiction. Relator has no adequate remedy by appeal for the following reasons. First, the Fifth Court of Appeals dismissed Relator's prior appeal for want of jurisdiction on July 3, 2025, explicitly stating no appealable order, or no appealable judgment existed. This ruling conclusively establishes that no jurisdiction existed post-discharge to create or enforce any supervision order. Second, jurisdictional defects cannot be cured on appeal; a court without jurisdiction cannot issue an appealable order. Third, Relator faces ongoing, irreparable constitutional violations— unlawful detention

threats, unauthorized probation enforcement, and possible adjudication based on void proceedings—that appellate review cannot adequately remedy. Fourth, the Fifth Court issued its mandate on September 9, 2025, formally terminating plenary power . Any post-mandate trial court action is void ab initio. Fifth, Relator has exhausted appellate procedures and must resort to mandamus to protect fundamental constitutional rights and restoration of liberty. Accordingly, this Court's mandamus jurisdiction is invoked to provide relief from the trial court's excess of jurisdiction and ongoing constitutional violations.

ISSUES PRESENTED

Issue One:

Whether the trial court acted in clear excess of jurisdiction by continuing to exercise authority over Relator's community supervision after entry of valid final discharge orders on June 11, 2024 (Case 1) and October 23, 2024 (Case 2), following the Fifth Court of Appeals mandate issued September 9, 2025, and absent any signed written order or judicial authorization to reinstate supervision, rendering all post-discharge actions void ab initio.

Issue Two:

Whether the trial court violated due process under the U.S. and Texas Constitutions by attempting to vacate Relator's October 23, 2024 discharge order via an unsigned docket entry on October 24, 2024, without notice, hearing, or written signed order as required by Tex. R. Civ. P. 301 and Collin County Local Rule 1.2.

Issue Three:

Whether the trial court violated Tex. Code Crim. Proc. art. 15.17 and constitutional due process by detaining Relator for 67 days (December 2, 2024–February 8, 2025)—exceeding the statutory 48-hour magistrate hearing requirement by 1,584 hours—without service of charges, notice of probation reinstatement, or appointment of counsel for the initial 31 days in violation of art. 1.051.

Issue Four:

Whether the trial court violated the Sixth Amendment and Tex. Code Crim. Proc. art. 1.051 by denying Relator's requests for appointment of appellate counsel, accepting trial counsel's withdrawal without notice, hearing, or written order, and permitting ineffective assistance that failed to preserve jurisdictional and constitutional errors.

Issue Five:

Whether the trial court violated *Boykin v. Alabama*, 395 U.S. 238 (1969), and due process by coercing Relator into a "Not true" plea on May 19, 2025 requiring a contested hearing to prepare arguments of unknown allegations because Relator was Never served a copy of the allegations until a copy was received after the May 19, 2025 hearing via email from attorney Maria Tu this was a forced plea made via a pass slip lacking written violation allegations or plea terms, without adequate time to consult counsel, proper advisement of consequences, and under a false binary choice between pleading true to unknown allegations (waiving appeal rights) or proceeding without counsel or knowledge of the allegations

Issue Six:

Whether the probation department's unilateral enforcement demands—including the November 4, 2025 check-in notice for a November 24, 2025 appointment—the November 24, 2025 check-in notice for a December 29, 2025 appointment—and threatened Motion to Adjudicate filings, absent any court order or written reinstatement of supervision, constitute unlawful restraint, probation harassment, and due process violations requiring mandamus intervention.

Issue Seven:

Whether Relator lacks adequate remedy by appeal—due to the Fifth Court's July 3, 2025 dismissal for want of jurisdiction confirming no final appealable order exists—and requires immediate mandamus relief with emergency temporary restraining order and preliminary injunction under Tex. R. App. P. 52.10 to prevent imminent irreparable harm from ongoing constitutional violations, unlawful detention threats, and systematic probation enforcement.

STATEMENT OF FACTS

Procedural Overview

Relator faced two concurrent deferred adjudication cases: Case No. 380-83364-2018 (10-year supervision term) and Case No. 380-83365-2018 (5-year supervision term, concurrent). Both cases were under the jurisdiction of the 296th District Court. Relator was arrested June 14, 2019, released on bond July 2, 2019, and complied without incident until November 2023.

1. First Motion to Adjudicate (November 2023–May 2024) On November 21, 2023, the State filed a Motion to Adjudicate Guilt in both cases. The trial court issued a no-bond arrest warrant, and Relator was arrested April 10, 2024. She was held 38 days before appearing for an MTA hearing. On May 17, 2024, an Associate Judge conducted a jail video hearing. Relator pled "true" to alleged violations and was released May 20, 2024. The 296th District Court entered an Order of Continued Deferred Adjudication. First Discharge: Case 1 (June 11, 2024) On June 11, 2024, the trial court entered an Order of Dismissal of Deferred Adjudication for Case 1, formally releasing Relator from probation. She received notification via USPS and a letter from Probation confirming successful completion
 2. Early Discharge: Case 2 (October 23, 2024) From June through October 2024, Relator remained compliant with probation in Case 2. She informed Probation on September 27, 2024, of her intent to seek early release; no objections were raised. She notified the trial court and State on October 10, 2024, again without objection. She led a Motion for Early Release on October 21, 2024. The court granted it on October 23, 2024, entering an unambiguous Early Discharge Order: "The Court hereby ORDERS that Defendant be discharged from probation. Relator formally received this order via electronic ling on October 24, 2024.
-

3. Void and Unauthorized Unsigned Vacatur (October 24, 2024) On the day Relator received her discharge order , the trial court attempted to vacate discharge via an unsigned docket entry stating only: "Early release order signed by judge is vacated. This entry is unsigned and void under Tex. R. Civ. P . 301 and Collin County Local Rule 1.2, which require court orders to be signed by the judge to have legal effect. *Garza v. Texas Alcoholic Beverage Commission*, 138 S.W.3d 609, 613 (Tex. App.—Houston [14th Dist.] 2004), holds that unsigned docket entries lack legal force. Relator received no notice and no hearing opportunity. The unsigned vacatur is void ab initio. Probation Department Actions (October 28, 2024) On October 28, 2024, Relator contacted Probation and hand-delivered certified copies of the October 23, 2024 discharge order . She confirmed with the district clerk that the discharge order was valid and unvacated. No nunc pro tunc vacatur order or judicial reinstatement action exists.

4. Second Motion to Adjudicate (November 21, 2024) Despite Relator's discharge and case status as disposed, the State led a second Motion to Adjudicate on November 21, 2024. The trial court issued a no-bond arrest warrant without jurisdiction. *Illegal 67-Day Detention Without Magistrate Hearing* (December 2, 2024–February 8, 2025) Relator was arrested December 2, 2024, and detained for 67 days, violating Tex. Code Crim. Proc. art. 15.17 (requiring magistrate hearing within 48 hours). She was held 1,584 hours beyond the statutory limit without hearing, without service of charges, without notice of probation reinstatement, and without appointed counsel for the initial 31 days (violating art. 1.051(d)). She was released February 8, 2025, on bond.

5. Coerced Plea (May 19, 2025) On May 19, 2025, at a status hearing, Judge Roach acknowledged vacating the discharge without notice and confirmed the 67-day detention without hearing. Despite recognizing constitutional concerns, Relator was coerced to plead "Not true" facing a contested hearing to unspecified violations. She faced a false binary choice: plead "true" with waived appeal rights or proceed to a contested hearing without knowledge of allegations and without counsel. She received no written allegations, no written plea terms, no adequate time to consult counsel, and no explanation

of consequences. Her appointed counsel failed to sign plea documents or explain consequences.

6. Denial of Appellate Counsel (March 20, 2025–May 19, 2025) Appointed counsel represented Relator only for MTA proceedings, refusing to address constitutional or appellate matters. Counsel failed to challenge procedural and jurisdictional defects. Appellate counsel requests were denied without explanation. These failures constitute ineffective assistance and denial of Sixth Amendment rights. Dismissal of MTA Without Written Reinstatement Order (June 26, 2025) The trial court granted the State's dismissal of the MTA, issuing no written reinstatement order and remaining silent on supervision. The relator was denied a copy of any order .
 7. Appellate Proceedings and Mandate (July 3–September 9, 2025) Relator led appeals and mandamus petitions, which the Fifth Court of Appeals dismissed for lack of final order and jurisdiction. The Fifth Court issued its mandate on September 9, 2025, terminating appellate jurisdiction and trial court plenary power .
 8. Post-Mandate Period and Current Threats (September–November 2025) Following mandate issuance, no reinstatement order was signed, no hearing held. The probation department administratively closed the case. On November 4, 2025, Probation unilaterally issued a check-in notice demanding compliance on November 24, 2025, without any court order or judicial authorization. Relator missed this unauthorized appointment furthermore On November 24, 2025 probation issued another check-in notice demanding compliance on December 29, 2025 an upcoming appointment. Probation and the trial court now threaten renewed Motion to Adjudicate filings, violating res judicata and collateral estoppel.
-

SUMMARY OF THE ARGUMENT

This petition presents straightforward jurisdictional violations that mandate relief. Under Texas law, a trial court loses all plenary jurisdiction upon entry of a valid

discharge order from community supervision. *State v. Bates*, 889 S.W.3d 306 (Tex. Crim. App. 1994). That jurisdictional loss is irreversible and absolute. *Ex parte Moss*, 677 S.W.2d 937 (Tex. Crim. App. 1984). Here, Relator received valid discharge orders on June 11, 2024 (Case 1) and October 23, 2024 (Case 2). These orders were never appealed, stayed, or vacated by any signed written order. Upon entry, the trial court's jurisdiction terminated. When the trial court attempted to vacate discharge via an unsigned docket entry, that entry had no legal effect. *Garza v. Texas Alcoholic Beverage Comm'n*, 138 S.W.3d 609 (Tex. App.—Houston [14th Dist.] 2004). When the trial court issued a post-discharge arrest warrant and detained Relator for 67 days without a magistrate hearing or appointed counsel, those actions violated statutory and constitutional mandates. When the trial court coerced a plea through false binary choices, that plea was constitutionally infirm. When counsel was denied and appellate review was blocked, fundamental Sixth Amendment rights were violated.

The Fifth Court issued its mandate on September 9, 2025, formally concluding appellate jurisdiction. Any post-mandate trial court action is void ab initio. Tex. R. App. P. 18.1. Relator has no adequate remedy by appeal—the Fifth Court already ruled no final order exists. She faces ongoing irreparable constitutional harm: unlawful detention threats, unauthorized probation demands, and threatened renewed prosecution based on void proceedings. Mandamus is the exclusive remedy and is mandatory.

ARGUMENT

Issue One: Trial Court's Excess of Jurisdiction Post-Discharge

This issue ties to the argument that the trial court lost all jurisdiction after valid final discharge orders and appellate mandate, yet unlawfully continued exercising authority over supervision. It supports the petition's claim that post-discharge acts (warrants, detention, threats) are void ab initio under Texas law (*State v. Bates*, *Ex parte Moss*).

The Trial Court Lost All Jurisdiction After Final Discharge and Appellate Mandate Under Texas law, a trial court loses all plenary jurisdiction to supervise, modify, or enforce community supervision once a final, valid discharge order is entered. *State*

v. Bates, 889 S.W.2d 306 (Tex. Crim. App. 1994). Ex parte Moss, 677 S.W.2d 937, 940 (Tex. Crim. App. 1984), holds that community supervision can only be imposed through formal judicial action—administrative or verbal acts lack legal effect. In re Gomez, 72 S.W.3d 779, 782 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding), confirms that the probation department cannot unilaterally impose or reinstate supervision—only the trial court may do so through proper judicial proceedings. Tex. Code Crim. Proc. art. 42A.051 provides that upon a defendant's final discharge from deferred adjudication community supervision, the trial court's authority terminates absolutely. State ex rel. Curry v. Gray, 726 S.W.2d 125, 126 (Tex. Crim. App. 1987), mandates that mandamus relief is mandatory when a trial court acts entirely without jurisdiction.

Application Here: On October 23, 2024, the trial court entered a final, unambiguous Early Discharge Order in Case 2 (following June 11, 2024 discharge in Case 1). These orders were never appealed, stayed, or vacated by any signed, written order. Upon entry, the trial court's jurisdiction terminated absolutely and irreversibly. On October 24, 2024—the very next day—the trial court attempted to vacate discharge via an unsigned docket entry. Under Tex. R. Civ. P. 301 and Collin County Local Rule 1.2, court orders must be signed by the judge to have legal effect. Garza v. Texas Alcoholic Beverage Comm'n, 138 S.W.3d 609, 613 (Tex. App.—Houston [14th Dist.] 2004), holds that unsigned docket entries have no legal force and do not constitute valid orders. The unsigned vacatur entry is therefore void ab initio and cannot restore jurisdiction. On July 3, 2025, the Fifth Court of Appeals dismissed Relator's appeal for want of jurisdiction, explicitly finding no final, appealable judgment existed. This ruling establishes conclusively that no jurisdiction existed to create or enforce a supervision order post-discharge. On September 9, 2025, the Fifth Court issued its mandate, formally concluding appellate jurisdiction. Under Tex. R. App. P. 18.1 and State v. Bates, issuance of the mandate ends the trial court's plenary power except as expressly authorized by statute or appellate procedure rules. The mandate authorized no reinstatement or post-discharge enforcement. The trial court lacks jurisdiction to issue arrest warrants post-discharge, detain Relator, threaten Motion to Adjudicate filings, enforce nonexistent probation, or coerce pleas regarding non-existent supervision. All such acts are void ab initio

Issue Two: Failure to Provide Due Process with Unsigned Vacatur

Correlates with the argument that vacating discharge via an unsigned docket entry without notice or hearing violates procedural rules and constitutional due process requirements, rendering the attempted vacatur void. This supports the invalid reinstatement argument based on Tex. R. Civ. P. 301, Collin County Local Rule 1.2, and Garza.

The May 19, 2025 Verbal Pronouncement and Probation Department Conduct Cannot Lawfully Reinstate Supervision Verbal pronouncements by the judge lack legal effect under Texas law. All court orders must be written, signed by the judge, and entered in the record to be valid. Tex. R. Civ. P. 301 requires that any reinstatement, modification, or imposition of community supervision be carried out through formal judicial action in a written order. Oral remarks or unsigned docket entries are insufficient.

Application Here: On May 19, 2025, Judge Roach made verbal statements suggesting Relator was "not on probation" and should "go get signed back up with probation." These oral remarks lack any legal effect. No signed, written reinstatement order exists. The June 26, 2025 dismissal order on the State's Motion to Adjudicate was silent as to reinstatement and did not modify, reinstate, or extend supervision terms. Relator was denied a copy of any such order. The probation department's prolonged inaction from November 2024 through July 2025—issuing no supervision instructions, imposing no reporting requirements, and administratively closing the case—confirms that no valid reinstatement order existed and that the October 23, 2024 discharge orders remained operative. Had a valid reinstatement order been entered, the probation department would have immediately resumed duties. On August 12, September 27 and November 4, 2025, the probation department unilaterally issued check-in notices without citing any court order or judicial authorization. The November 4, 2025 demand for a November 24 check-in lacked legal basis and confirmed the absence of any written reinstatement order. Such unilateral administrative action violates due process and contradicts court and appellate rulings. Community supervision can only be imposed or reinstated by formal judicial order. No such order exists. All enforcement actions based on nonexistent supervision after final discharge are void ab initio.

Issue Three: Violation of Statutory Detention Limits Without Magistrate Hearing

Relates to factual allegations detailing illegal 67-day detention without required magistrate hearing or counsel appointment, violating Tex. Code Crim. Proc. art. 15.17, further illustrating ongoing constitutional harms beyond jurisdictional issues. Relator Lacks Adequate Remedy by Appeal and Requires Emergency Mandamus Mandamus relief is appropriate when a relator has no adequate remedy by appeal. In re Prudential Ins. Co. of Am., 148 S.W.3d 124, 132 (Tex. 2004), recognizes mandamus as necessary to prevent harm when appeals are unavailable or inadequate.

Application Here: The Fifth Court of Appeals dismissed Relator's prior appeal for want of jurisdiction due to the absence of a final, appealable order. This ruling definitively establishes that no appeal remedy exists. Jurisdictional defects cannot be remedied on appeal; a party cannot appeal from an order issued without jurisdiction. Relator faces ongoing constitutional violations: threats of arrest on a void warrant, unauthorized probation demands, threatened Motion to Adjudicate without jurisdiction, and possible adjudication based entirely on void proceedings. These continuing harms are irreparable and cannot be remedied through delayed appellate review. Unlawful detention, deprivation of liberty, and violation of constitutional rights constitute irreparable harm that monetary damages cannot compensate. Restoration of liberty and constitutional protections requires prospective injunctive relief. Relator requests emergency temporary restraining orders and preliminary injunction under Tex. R. App. P. 52.10 to immediately stay all probation enforcement, prevent arrest or detention, and bar any Motion to Adjudicate pending resolution of mandamus relief on the merits. Given clear jurisdictional defects, absence of any valid reinstatement order, void unsigned vacatur, prolonged unlawful detention, coerced plea, denial of appellate counsel, and pervasive due process violations, Relator is likely to prevail on the merits. The balance of equities supports granting relief. Denial results in grave irreparable harm to Relator's liberty and constitutional rights, while the State suffers no prejudice in being restrained from enforcing nonexistent probation. This case mandates mandamus intervention and emergency relief to uphold fundamental principles of jurisdiction, due process, and constitutional protection.

Issue Four: Denial of Appellate Counsel and Ineffective Assistance

The Sixth Amendment to the U.S. Constitution guarantees the right to effective assistance of counsel on appeal. The denial of appointment of appellate counsel, coupled with ineffective assistance by trial counsel who failed to raise jurisdictional defects and substantive constitutional violations, deprived Relator of meaningful appellate review and due process (see *Gideon v. Wainwright*, 372 U.S. 335 (1963); *Douglas v. California*, 372 U.S. 353 (1963)). Without counsel to preserve errors and present appellate claims, Relator's rights are fundamentally compromised and no adequate remedy on appeal exists. This denial compounds the need for mandamus relief to protect Relator's constitutional rights and ensure judicial integrity.

Application Here: Relator's appointed counsel represented her only on Motion to Adjudicate proceedings, refused to address constitutional or jurisdictional challenges, and later withdrew without notice or hearing. The trial court denied requests for appellate counsel without explanation. These failures constitute effective denial of counsel and ineffective assistance, underscoring the necessity for mandamus intervention to remedy a situation that appellate advocacy cannot because the absence of counsel prevented raising these vital issues.

Issue Five: Coercion into Plea Under False Duress Violates Boykin and Due Process

Under *Boykin v. Alabama*, 395 U.S. 238 (1969), pleas must be knowing, voluntary, and intelligent, made with full awareness of rights waived. Coerced pleas under false binary choices, lack of written allegations or plea terms, absence of counsel consultation time, and denial of explanation of consequences violate fundamental due process protections. Such unconstitutional pleas cannot serve as a valid basis for supervised release or subsequent detention and require voiding through mandamus relief to prevent miscarriage of justice.

Application Here: At the May 19, 2025 status hearing, Relator was coerced into pleading true to unspecified violations under a false binary choice—plead true with waived rights or proceed with a contested hearing without counsel. She received no written indictment of violations, lacked time or counsel to adequately assess the

plea consequences, and her appointed counsel failed to notify or advise her properly. This coercion violates Boykin and due process, rendering any resulting plea void and entitling Relator to immediate relief.

Issue Six: Unlawful Probation Department Enforcement Without Court Order

Texas law requires that supervision or reinstatement of probation must be effectuated through a formal court order following appropriate judicial process. The probation department lacks authority to unilaterally impose reporting requirements or enforce supervision without a signed judicial order. Such administrative enforcement actions violate Tex. Code Crim. Proc. art. 42A and due process guarantees, making any demands or threats issued absent court authorization void and subject to immediate mandamus relief.

Application Here: Between August and November 2025, the probation department issued multiple check-in notices and demands—including a November 4, 2025 demand for a November 24 check-in appointment—without any court order or written reinstatement. These unilateral demands violate procedural and constitutional norms, as affirmed by both appellate rulings and governing statutes. The probation department’s continued enforcement threats and procedural irregularities perpetuate unlawful restraint and harassment, underscoring the urgent need for the Court to enjoin such actions.

Issue Seven: No Adequate Remedy by Appeal and Need for Mandamus and Emergency Relief

Mandamus is the exclusive and mandatory remedy where no adequate appeal exists, especially to prevent irreparable harm from ongoing constitutional violations and jurisdictional excesses (*In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124 (Tex. 2004); *State ex rel. Curry v. Gray*, 726 S.W.2d 125 (Tex. Crim. App. 1987)). Delayed appellate review cannot remedy unlawful detention, coerced pleas, denial of counsel, or repeated threats of enforcement and arrest absent jurisdiction or lawful order.

Application Here: The Fifth Court of Appeals dismissed Relator’s prior appeal for want of jurisdiction, establishing no final appealable order exists. Relator faces

ongoing, irreparable injury from unconstitutional detention, probation threats, and loss of liberty. Monetary damages cannot restore liberty or prevent continuing harassment. Thus, emergency temporary restraining orders and preliminary injunctions under Tex. R. App. P. 52.10 are necessary to maintain the status quo and protect fundamental rights pending mandamus resolution. Equity favors granting relief to avoid grievous constitutional harm while the State incurs no prejudice from suspension of unlawful enforcement.

PRAYER FOR RELIEF

Relator respectfully prays that this Honorable Court grant this Original Petition for Writ of Mandamus and issue a writ directed to the Honorable John Roach Jr Presiding Judge of the 296th District Court, and all associated respondents, commanding them to cease all unlawful actions.

First, the trial court and all respondents shall immediately cease all unlawful exercise of authority over Relator's person and liberty. All threats and enforcement actions related to community supervision shall cease, including all threats of Motion to Adjudicate lings. The probation department shall cease all unilateral enforcement demands, including the November 4, 2025 check-in notice and any threats of arrest or sanctions.

Second, this Court shall declare void and of no legal effect:

1. the unsigned docket entry purporting to vacate the October 23, 2024 discharge order;
2. any attempted reinstatement of community supervision after October 23, 2024;
3. any Motion to Adjudicate led after October 23, 2024;
4. any arrest warrant issued after October 23, 2024;
5. the 67-day detention from December 2, 2024 through February 8, 2025;
6. the May 19, 2025 pass slip and any plea based thereupon; and
7. all probation department unilateral enforcement actions.

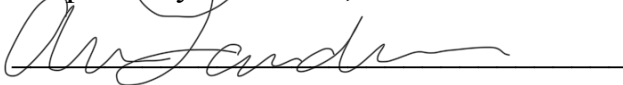
Third, this Court shall declare and order that Relator remains validly and finally discharged from community supervision as of October 23, 2024, with no probation,

conditions, or supervision obligations whatsoever. That the trial court has no jurisdiction to enforce, modify, or reinstate community supervision after the appellate mandate issued September 9, 2025. Confirming relator's discharge and prohibiting any further action by the trial court or probation department related to supervision.

Relator certifies that immediate and irreparable harm will occur absent the issuance of emergency relief. Relator requests this Court issue an **Emergency Temporary Restraining Order** directed to the trial court and probation department to immediately cease all probation enforcement activities and prevent any arrest or detention. This Order shall prevent any Motion to Adjudicate lings, prevent any demands for probation check-ins or compliance, and stay all threatened actions pending nal resolution.

Additionally, this Court shall issue a Preliminary Injunction preserving the status quo and maintaining the temporary restraining order pending nal resolution of this mandamus petition on the merits. Should this Court determine that any portion requires factual development or further briefing, Relator requests evidentiary hearings and time for supplemental briefing. Relator requests that this Court retain jurisdiction pending full resolution. Relator prays for such other and further relief as the Court may deem just and equitable, including recovery of costs and attorney's fees if applicable under law.

Respectfully submitted,



Alexis Lorene Landrum Relator, Pro Se

517 west Owing Street

Denison Texas 75020

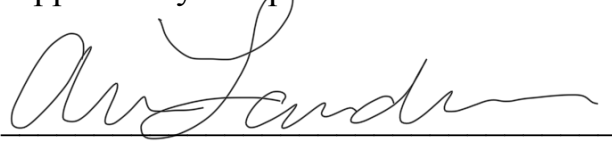
469.965.5590

Servelandrum@gmail.com

Date: December 2, 2025

CERTIFICATION

Pursuant to Texas Rule of Appellate Procedure 52.3(j), I certify that I have reviewed this petition and concluded that every factual statement in the petition is supported by competent evidence included in the appendix or mandamus record.

A handwritten signature in black ink, appearing to read "Alexis Landrum", is written over a horizontal line.

Alexis Lorene Landrum Relator, Pro Se

517 west Owing Street

Denison Texas 75020

469.965.5590

Servelandrum@gmail.com

Date: December 2, 2025

CERTIFICATE OF SERVICE

I, Alexis Lorene Landrum, hereby certify that I have served true and correct copies of this Original Petition for Writ of Mandamus upon all parties entitled to service in accordance with the Texas Rules of Appellate Procedure and the Fifth Court of Appeals' applicable rules. Service upon Respondent Judge has been made by electronic service to the Honorable John Roach Jr., Presiding Judge of the 296th District Court, Collin County Courthouse, 2100 Bloomdale Road, McKinney, Texas 75071. Service upon the Collin County District Attorney has been made by electronic service Collin County District Attorney's Office, Appellate Department, 2100 Bloomdale Road, Suite 200, McKinney, Texas 75071. Service upon the Collin County District Clerk has been made by electronic service to the Collin County District Clerk's Office, 2100 Bloomdale Road, McKinney, Texas 75071. I certify that I have served or attempted to serve all parties in compliance with all applicable procedural rules.

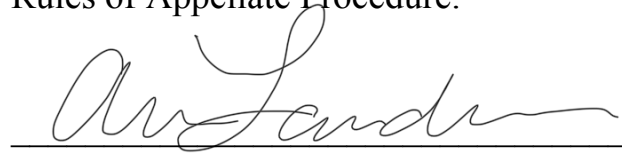
Dated this 2nd day of December, 2025.

A handwritten signature in cursive script, appearing to read 'Alexis Landrum', is written over a horizontal line.

Alexis Lorene Landrum, Pro Se Relator

CERTIFICATE OF COMPLIANCE

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(2), I certify that this petition contains approximately 4,800 words, excluding the portions exempted by Rule 9.4(i)(1). This document complies with the formatting requirements of the Texas Rules of Appellate Procedure.

A handwritten signature in black ink, appearing to read "Alexis Landrum", is written over a horizontal line.

Alexis Lorene Landrum

Relator, Pro Se

Dated: December 2, 2025

VERIFICATION OF MANDAMUS RECORD

I, Alexis Lorene Landrum, declare under penalty of perjury that the documents contained in this Mandamus Record are true and correct copies of the original records, filings, orders, correspondence, and other materials filed in or received from the 296th District Court of Collin County, Texas, or otherwise material to this original proceeding.

Executed on December 2, 2025.

A handwritten signature in cursive script, appearing to read 'Alexis Landrum', is written over a horizontal line.

Alexis Lorene Landrum

Relator, Pro Se

PETITION APPENDIX (TRAP 52.3(k)) Appendix B – Table of Authorities (Cases)

Relator: Alexis Lorene Landrum

Cause No.: 380-83365-2018

Trial Court: 296th District Court, Collin County, Texas

Proceeding: Original Petition for Writ of Mandamus

1. Ex parte Harrington, 310 S.W.3d 452 (Tex. Crim. App. 2010)
2. Ex parte Moss, 677 S.W.2d 937 (Tex. Crim. App. 1984)
3. In re Gomez, 72 S.W.3d 779 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding)
4. In re Lassiter, 381 S.W.3d 857 (Tex. App.—Texarkana 2012, orig. proceeding)
5. In re McAllen Medical Center , Inc., 275 S.W.3d 458 (Tex. 2008)
6. In re McCann, 422 S.W.3d 701 (Tex. Crim. App. 2013)
7. In re Prudential Ins. Co. of Am., 148 S.W.3d 124 (Tex. 2004)
8. In re Reece, 341 S.W.3d 360 (Tex. 2011)
9. In re Swearingen, 422 S.W.3d 42 (Tex. Crim. App. 2013)
- 10.State v. Bates, 889 S.W.2d 306 (Tex. Crim. App. 1994)
- 11.State ex rel. Curry v. Gray, 726 S.W.2d 125 (Tex. Crim. App. 1987)
- 12.State ex rel. Weeks v. Houston, 470 S.W.2d 820 (Tex. 1971)
- 13.Ex parte White, 506 S.W.3d 39 (Tex. Crim. App. 2016)
- 14.Garza v. Texas Alcoholic Beverage Commission, 138 S.W.3d 609 (Tex. App.—Houston [14th Dist.] 2004)
- 15.[14th Dist.] 2004)
- 16.Walker v. Packer, 827 S.W.2d 833 (Tex. 1992)
- 17.Chambers v. NASCO, Inc., 501 U.S. 32 (1991)
- 18.Boykin v. Alabama, 395 U.S. 238 (1969)
- 19.Strickland v. Washington, 466 U.S. 668 (1984)
- 20.Gideon v. Wainwright, 372 U.S. 335 (1963)
- 21.Douglas v. California, 372 U.S. 353 (1963)
- 22.Holland v. Florida, 560 U.S. 631 (2010)

PETITION APPENDIX (TRAP 52.3(k))

Appendix C – Statutes and Rules

Relator: Alexis Lorene Landrum

Cause No.: 380-83365-2018

Trial Court: 296th District Court, Collin County, Texas

Proceeding: Original Petition for Writ of Mandamus

1. Tex. Code Crim. Proc. art. 1.051 (Appointment of Counsel)
2. Tex. Code Crim. Proc. art. 15.17 (Magistrate Hearing and Counsel)
3. Tex. Code Crim. Proc. art. 42A (Community Supervision)
4. Tex. Code Crim. Proc. art. 42A.051 (Discharge)
5. Tex. Code Crim. Proc. art. 42A.052 (Limited Modification Authority)
6. Tex. Code Crim. Proc. art. 42A.103 (Jurisdiction After Expiration)
7. Tex. Code Crim. Proc. art. 42A.108 (Motion to Adjudicate)
8. Tex. Gov't Code §§ 22.002, 22.221 (Appellate Jurisdiction)
9. Tex. R. App. P. 18.1 (Mandate)
10. Tex. R. App. P. 52 (Original Proceedings)
11. Tex. R. App. P. 52.10 (Emergency Relief)
12. Texas Rules of Civil Procedure 301 (Signed Orders)
13. Texas Rules of Civil Procedure 21a (Notice and Service)
14. Collin County Local Rule 1.2 (Court Orders)
15. Tex. Const. art. I, § 19 (Due Process)

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 108639287

Filing Code Description: Original Proceeding Petition

Filing Description: Original Proceeding Petition

Status as of 12/3/2025 8:51 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Amy Murphy		asmurphy@co.collin.tx.us	12/2/2025 6:53:11 PM	SENT
Greg Willis		gwillis@co.collin.tx.us	12/2/2025 6:53:11 PM	SENT
John Roach		jroach@co.collin.tx.us	12/2/2025 6:53:11 PM	SENT
Leticia Gibbs		lgibbs@co.collin.tx.us	12/2/2025 6:53:11 PM	SENT
Alexis Landrum		Servelandrum@gmail.com	12/2/2025 6:53:11 PM	SENT