

DISMISS and Opinion Filed December 14, 2015.



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

No. 05-15-01481-CV

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IN RE DONALD GENE BLANTON, Relator

**On Appeal from the 86th Judicial District Court
Kaufman County, Texas
Trial Court Cause No. 23078-86, No. 23592-86**

MEMORANDUM OPINION

Before Justices Lang, Fillmore, and Brown
Opinion by Justice Lang

In this petition for writ of mandamus relator requests that the Court order the trial court to vacate its July 1, 2005 judgment of conviction and order the dismissal of cause number 23592-86. Relator's petition represents a collateral attack on his final felony conviction. "It is well established that only the Court of Criminal Appeals possesses the authority to grant relief in a post-conviction habeas corpus proceeding where there is a final felony conviction." *Ex parte Alexander*, 685 S.W.2d 57, 60 (Tex. Crim. App. 1985); TEX. CODE CRIM. PROC. art. 11.07 § 5 (West 2015). Any attempt by a lower court to grant habeas relief from a final felony conviction in other procedural postures represents a usurpation of the exclusive authority of the Court of Criminal Appeals to grant post-conviction relief. *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241 (Tex. Crim. App. 1991). Accordingly, we lack jurisdiction to address relator's complaints. *See id.*

We dismiss the petition for want of jurisdiction.

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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