

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00266-CV

JOHN E. COLLIER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 258th District Court
Polk County, Texas
Trial Cause No. 19687**

MEMORANDUM OPINION

John E. Collier appeals from the trial court's order denying his motion seeking to expunge a petition for discretionary review. In his motion, Collier claimed that the petition for discretionary review was falsely submitted to the Court of Criminal Appeals without his knowledge or permission. We affirm the trial court's ruling.

While Collier filed a brief to support his appeal, Collier’s brief fails to provide any references to any statutes that provide a trial court with the authority to issue orders affecting records filed in the Court of Criminal Appeals. Generally, the provisions pertaining to a criminal defendant’s right to have records in a criminal proceeding expunged are in Chapter 55 of the Code of Criminal Procedure. *See* Tex. Code Crim. Proc. Ann. art. 55.01 (West Supp. 2016). In his brief, Collier fails to explain how Chapter 55 applies to the petition for discretionary review that he claims someone filed without his permission in the Court of Criminal Appeals. *Id.* Additionally, Collier failed to adequately brief the complaint he raises on appeal concerning the trial court’s ruling. *See* Tex. R. App. P. 38.1(i); *Lucio v. State*, 351 S.W.3d 878, 896 (Tex. Crim. App. 2011) (an inadequately briefed issue presents nothing for review). Because Collier has not shown in his appeal that the trial court erred by denying his motion, we overrule his issue and affirm the order.

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on July 5, 2017
Opinion Delivered September 21, 2017

Before McKeithen, C.J., Horton and Johnson, JJ.