



IN THE
TENTH COURT OF APPEALS

No. 10-08-00314-CR

VICTOR ANTONIO MARTINEZ,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 40th District Court
Ellis County, Texas
Trial Court No. 28403CR

MEMORANDUM OPINION

In 2005, Appellant was adjudicated guilty of aggravated sexual assault of a child and received a ten-year sentence. The judgment adjudicating guilt states that he was credited thirty-one days for time served. He now apparently attempts to appeal the denial of an article 11.07 habeas claim for reduction of his sentence for jail time credit and his failed attempt to obtain free copies of documents relating to his claim for reduction.

This court has jurisdiction over criminal appeals only when expressly granted by law. *Everett v. State*, 91 S.W.3d 386, 386 (Tex. App.—

Waco 2002, no pet.). No statute vests this court with jurisdiction over an appeal from an order denying a request for a free copy of the trial record when such a request is not presented in conjunction with a timely filed direct appeal. *Id.*; see *Self v. State*, 122 S.W.3d 294, 294-95 (Tex. App.—Eastland 2003, no pet.). Furthermore, an intermediate court of appeals has no jurisdiction over post-conviction writs of habeas corpus in felony cases. *Self*, 122 S.W.3d at 295 (citing TEX. CODE CRIM. PROC. ANN. art. 11.07).

Clegg v. State, 214 S.W.3d 671 (Tex. App.—Waco 2007, no pet.).

We notified Appellant that unless he showed grounds for continuing his appeal, we might dismiss it for want of jurisdiction. Appellant has filed a response, but it does not show that we have jurisdiction. Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

Before Chief Justice Gray,
Justice Vance, and
Justice Reyna
Appeal dismissed
Opinion delivered and filed October 29, 2008
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[CR25]