



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-18-00034-CR**

**EX PARTE SAM WILEY, JR.,**

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**From the 54th District Court  
McLennan County, Texas  
Trial Court No. 2012-381-C2**

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**MEMORANDUM OPINION**

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We affirmed Sam Wiley, Jr.'s conviction in trial court cause number 2012-381-C2 on August 28, 2014, *Wiley v. State*, No. 10-14-00018-CR, 2014 WL 4385765, at \*1 (Tex. App.—Waco Aug. 28, 2014, no pet.) (mem. op., not designated for publication), and mandate issued on January 5, 2015. Wiley has now filed a document requesting “leave of court to file a ‘writ of error’” in which he prays that this Court reverse his judgment of conviction in trial court cause number 2012-381-C2.

The Court of Criminal Appeals and this Court have recognized that “the exclusive post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to [Code of Criminal Procedure article] 11.07.” *Olivo v. State*, 918 S.W.2d 519, 525 n.8 (Tex. Crim. App. 1996); see TEX. CODE CRIM. PROC. ANN. art. 11.07

(West 2015); *Ex parte Mendenhall*, 209 S.W.3d 260, 261 (Tex. App.—Waco 2006, no pet.). Moreover, only the Court of Criminal Appeals has jurisdiction to grant post-conviction habeas corpus in felony cases. See *Bd. of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (orig. proceeding); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (orig. proceeding).

Accordingly, we dismiss this appeal for want of jurisdiction.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins

Dismissed  
Opinion delivered and filed February 14, 2018  
Do not publish  
[CR25]

