

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-18-00557-CV

In re John A. Coleman

ORIGINAL PROCEEDING FROM BELL COUNTY

MEMORANDUM OPINION

Relator John A. Coleman, an inmate in the Texas Department of Criminal Justice, has filed a pro se petition for writ of mandamus in this Court. Coleman seeks to have this Court order the trial court to vacate his 2010 judgment of conviction for capital murder.

The exclusive post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to Article 11.07 of the Texas Code of Criminal procedure. Tex. Code Crim. Proc. art. 11.07 § 5 (“After conviction the procedure outlined in this Act shall be exclusive and any other proceeding shall be void and of no force and effect in discharging the prisoner.”); *Olivo v. State*, 918 S.W.2d 519, 525 n.8 (Tex. Crim. App. 1996). Only the court of criminal appeals has jurisdiction over post-conviction writs of habeas corpus in felony cases. *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991). Accordingly, we dismiss the petition for writ of mandamus for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

David Puryear, Justice

Before Justices Puryear, Goodwin, and Bourland

Filed: August 30, 2018