

**NO. 12-11-00300-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

*IN RE:* §  
*RASHAAN GOLDEN,* § *ORIGINAL PROCEEDING*  
*RELATOR* §

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***MEMORANDUM OPINION***  
***PER CURIAM***

In this original proceeding, Relator Rashaan Golden seeks a writ of mandamus directing the trial court to withdraw Relator's guilty plea, vacate his conviction, and return him to the same position he occupied prior to entering his guilty plea. We dismiss the petition.

In 2001, Relator pleaded guilty to the felony offense of injury to a child, and was sentenced to imprisonment for sixty years. He filed an untimely notice of appeal, and this court dismissed the appeal for want of jurisdiction. *See generally Golden v. State*, No. 12-02-00310-CR, 2002 WL 31778530 (Tex. App.–Tyler Dec. 2, 2002, no pet.) (not designated for publication). Relator asserts that in making his decision to plead guilty, he relied on advice from his counsel, which he contends was erroneous. He argues further that this erroneous advice rendered his plea involuntary, resulting in a void judgment and sentence.

The court of criminal appeals has exclusive authority to grant postconviction relief from a final felony conviction. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991). The procedure for requesting this relief is found in Texas Code of Criminal Procedure Article 11.07. *See TEX. CODE CRIM. PROC. ANN. art. 11.07* (West 2005). Because the court of criminal appeals has exclusive authority to grant postconviction relief from a final felony conviction, we are without jurisdiction to consider Relator's petition for writ of mandamus. Accordingly, Relator's petition for writ of mandamus is *dismissed*.

Opinion delivered November 23, 2011.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(DO NOT PUBLISH)