



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. WR-94,726-01

IN RE STATE OF TEXAS EX REL. JAIME A. IRACHETA, Relator

**ON PETITION FOR A WRIT OF PROHIBITION
IN CAUSE NOS. 11,934; 11,935; 11,936; 11,937
IN THE 49TH DISTRICT COURT FROM WEBB/ZAPATA COUNTY**

Per curiam.

OPINION

Relator filed a motion for leave to file and a petition for a writ of prohibition, invoking our constitutional authority to issue writs of prohibition in criminal law matters. TEX. CONST. art. V, § 5. The petition requests that this Court prohibit the respondent from issuing and ruling on pre-trial habeas applications filed by defendants confined in (or on bond from) Maverick County pursuant to Maverick County misdemeanor charges.

The real parties in interest were arrested in Maverick County and filed original habeas applications in Maverick County, which were denied. They then filed original habeas applications in the 49th District Court and the respondent, Hon. Jose Lopez, indicated that he was going to hold a hearing on the merits of those habeas applications. The State filed prohibition in this Court to stop

the Webb/Zapata County Judge from ruling on cases arising from Maverick County. This Court issued a stay of proceedings and ordered the respondent to respond.

The respondent, Hon. Jose Lopez, filed a response with this Court. Based on that response and the totality of the record, we grant Relator's application for a writ of prohibition. The prior stay issued by this Court is lifted. The 49th district court in Webb/Zapata County is required to refrain from resolving the merits of the habeas applications for misdemeanor cases arising in Maverick County. *See In re Brent Smith*, ___ S.W.3d ___, WR-93,354-02 (Tex. Crim. App. Dec, 7, 2022).

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