



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

MIGUEL SILVAS,	§	No. 08-17-00245-CR
	§	
Appellant,	§	Appeal from
	§	
v.	§	120th District Court
	§	
THE STATE OF TEXAS,	§	of El Paso County, Texas
	§	
Appellee.	§	(TC # 20080D01865)
	§	

MEMORANDUM OPINION

This appeal is before the Court to determine whether it should be dismissed for lack of jurisdiction. Appellant, Miguel Silvas, is attempting to appeal from the trial court’s order denying his motion to “cut his sentence.” We dismiss the appeal for lack of jurisdiction.

Appellant was convicted in 2008 of aggravated sexual assault of a child and indecency with a child by sexual contact, and he is currently serving his sentences on both convictions. Appellant filed a motion in the 120th District Court alleging that he has suffered multiple punishments in violation of the Double Jeopardy Clause because the sentences for these two offenses were ordered to be served consecutively rather than concurrently. By filing a motion asking the trial court to “cut his sentence,” Appellant is attempting to challenge his final felony convictions. 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 Code of Criminal Procedure. *Ater*

v. Eighth Court of Appeals, 802 S.W.2d 241, 243 (Tex.Crim.App. 1991); TEX.CODE CRIM.PROC.ANN. art. 11.07 (West 2015). Further, jurisdiction to grant post-conviction habeas corpus relief on a final felony conviction rests exclusively with the Court of Criminal Appeals. *Ex parte Hoang*, 872 S.W.2d 694 (Tex.Crim.App. 1993). We therefore dismiss the appeal for want of jurisdiction.

December 20, 2017

ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rodriguez, and Palafox, JJ.

(Do Not Publish)