



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE	§	No. 08-19-00104-CR
ERIC FLORES,	§	ORIGINAL PROCEEDING
RELATOR.	§	ON PETITION FOR WRIT OF
	§	MANDAMUS

MEMORANDUM OPINION

Relator, Eric Flores, has filed a petition for writ of mandamus against the Honorable Maria Salas-Mendoza, Judge of the 120th District Court of El Paso County, Texas. Relator asks the Court to order Respondent to enter a default judgment against the State on Relator's Article 11.07 application for writ of habeas corpus filed in trial court cause number 20110D01621-120-10. The petition for writ of mandamus is dismissed.

To be entitled to mandamus relief, a relator must meet two requirements. The relator must establishes (1) that he has no adequate remedy at law to redress his alleged harm, and (2) that what he seeks to compel is a ministerial act, not a discretionary or judicial decision. *In re Allen*, 462 S.W.3d 47, 49 (Tex.Crim.App. 2015). The Court of Criminal Appeals has exclusive jurisdiction to grant relief in a post-conviction habeas corpus proceeding where there is a final felony conviction. *Padieu v. Court of Appeals of Texas, Fifth District*, 392 S.W.3d 115, 117 (Tex.Crim.App. 2013). We do not have jurisdiction to order the trial court to grant habeas corpus relief. Accordingly, the petition for writ of mandamus is dismissed for lack of jurisdiction.

April 30, 2019

YVONNE T. RODRIGUEZ, Justice

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

(Do Not Publish)