



In The

Eleventh Court of Appeals

No. 11-19-00134-CR

EX PARTE JOSEPH WILLIAM WALLACE DECKER

Original Proceeding

MEMORANDUM OPINION

Joseph William Wallace Decker has filed in this court a pro se application for writ of habeas corpus. Decker contends that he is being illegally restrained; he alleges that he has been in custody for 260 days without being indicted or tried. Decker requests that the charges against him be dismissed. We have no authority to grant Decker's request.

This court's authority to exercise original jurisdiction is limited. *See* TEX. CONST. art. V, §§ 5, 6 (providing that Court of Criminal Appeals has the power to issue writs of habeas corpus and that intermediate courts of appeals only have original jurisdiction as prescribed by law); TEX. GOV'T CODE ANN. § 22.221 (West Supp. 2018) (limited writ powers granted to the courts of appeals). An intermediate

appellate court has no original habeas corpus jurisdiction in criminal law matters. *In re Spriggs*, 528 S.W.3d 234, 236 (Tex. App.—Amarillo 2017, orig. proceeding); *Ex parte Hawkins*, 885 S.W.2d 586, 588 (Tex. App.—El Paso 1994, orig. proceeding). Because we have no jurisdiction in this original proceeding, we must dismiss it.

Accordingly, we dismiss this proceeding for want of jurisdiction.

PER CURIAM

April 30, 2019

Do not publish. *See* TEX. R. APP. P. 47.2(b).

Panel consists of: Bailey, C.J.,
Stretcher, J., and Wright, S.C.J.¹

Willson, J., not participating.

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.