

Habeas Corpus Dismissed and Opinion Filed November 4, 2013.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-01504-CV

IN RE RAMIRO CHAPA, Relator

**Original Proceeding from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F04-36350-P**

MEMORANDUM OPINION

Before Justices Moseley, Lang-Miers, and Evans
Opinion by Justice Evans

Before the Court is relator's "Motion to Dismiss, Pending Charge for Statute of Limitations." In the motion, relator asks that this Court dismiss the charge pending against him in trial court no. F04-36350-P because the statute of limitations has run. Appellant asserts that he is currently serving a sixty-month sentence in the federal prison system on a marijuana distribution conviction. Relator seeks dismissal of the state court charge so that he can participate in a federal drug abuse rehabilitation program.

Because relator asks this Court to dismiss the pending charge, he is seeking habeas corpus relief. Courts of appeals do not have original habeas corpus jurisdiction in criminal cases. *See* TEX. CODE CRIM. P. ANN. art. 11.05 (West 2005); TEX. GOV'T CODE ANN. § 22.221(d) (West 2004).

We dismiss the petition for want of jurisdiction.

/David Evans/
DAVID EVANS
JUSTICE

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