

DISMISS; and Opinion Filed May 25, 2016.



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

No. 05-16-00591-CV

IN RE JERRY BLANEY, Relator

**On Appeal from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F05-00065**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Schenck
Opinion by Justice Fillmore

Relator filed this petition for writ of mandamus challenging his criminal conviction and requesting, among other things, that the Court release him from confinement and award him \$25 million for pain and suffering. The substance of the petition is a collateral attack on relator's conviction for aggravated sexual assault of a child younger than fourteen years of age. Such an attack falls within the scope of a post-conviction writ of habeas corpus under article 11.07 of the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West 2015). Only the Texas Court of Criminal Appeals has jurisdiction in final post-conviction felony proceedings. *Id*; *In re McAfee*, 53 S.W.3d 715, 717 (Tex. App.—Houston [1st Dist.] 2001, no pet.). *See also Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (orig. proceeding) (by granting writ of mandamus to vacate judgment of conviction, court of appeals usurped exclusive authority of court of criminal appeals to grant post-conviction relief).

Accordingly, we **DISMISS** relator's petition for writ of mandamus for want of jurisdiction.

/Robert M. Fillmore/

ROBERT M. FILLMORE
JUSTICE

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