

Dismissed w.o.j. and Opinion Filed August 16, 2017.



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

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No. 05-17-00894-CV

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IN RE CHRISTOPHER DAISY WALKER, Relator

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Original Proceeding from the Criminal District Court No. 7  
Dallas County, Texas  
Trial Court Cause No. F13-51580-Y

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**MEMORANDUM OPINION**

Before Justices Lang, Myers, and Boatright  
Opinion by Justice Lang

In 2015, relator entered a plea bargain and is currently serving a 20-year sentence for aggravated assault. Relator did not appeal. In this original proceeding, relator seeks a writ of mandamus directing the trial court to vacate the underlying judgment. This proceeding is a collateral attack on a final conviction and, therefore, 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.); *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 this proceeding for want of jurisdiction.

/Douglas S. Lang/  
DOUGLAS S. LANG  
JUSTICE

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