

Dismissed w.o.j. and Opinion Filed November 14, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-01231-CV
No. 05-17-01232-CV

IN RE BRODERICK JACKSON, Relator

Original Proceeding from the 283rd Judicial District Court
Dallas County, Texas
Trial Court Cause Nos. F12-58467-T and F12-58468-T

MEMORANDUM OPINION

Before Justices Lang, Brown, and Stoddart
Opinion by Justice Lang

Relator was convicted in 2013 of unlawful possession of a firearm by a felon and possession with intent to deliver a controlled substance in the amount of four grams or more but less than 200 grams. On appeal, this Court modified the judgment in the drug case to reflect that relator pleaded not true to the enhancement paragraph in the indictment and affirmed the convictions as modified. *See Jackson v. State*, No. 05-13-00579-CR, 2014 WL 3955171, at *4–5 (Tex. App.—Dallas Aug. 14, 2014, no pet.). In this original proceeding, relator seeks reformation and modification of the April 18, 2013 judgment to remove a deadly weapon finding and to change his sentence.

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*; *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (orig. proceeding); *In re McAfee*, 53 S.W.3d 715, 717 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). Accordingly, we dismiss this proceeding for want of jurisdiction.

/s/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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