

**Dismiss and Opinion Filed March 5, 2021**



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

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**No. 05-21-00069-CR**

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**EX PARTE BENJAMIN BLAIR BROWN**

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**Original Proceeding from the Criminal District Court No. 6  
Dallas County, Texas  
Trial Court Cause No. F20-37096-X**

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**MEMORANDUM OPINION**

Before Justices Schenck, Nowell, and Garcia  
Opinion by Justice Schenck

Benjamin Blair Brown filed an original application for writ of habeas corpus in this Court challenging his confinement and asking for his immediate release either under a “compassionate” release or “PR bond.” We note that relator, acting pro se, addressed his petition to the Criminal District Court No. 6 but filed it with this Court. To the extent relator seeks relief from this Court, we do not have jurisdiction to consider an original application for writ of habeas corpus filed in a criminal proceeding. *See* TEX. CODE CRIM. PROC. ANN. art. 11.05; TEX. GOV’T CODE ANN. §22.221(d); *In re Ayers*, 515 S.W.3d 356, 356–57 (Tex. App.—Houston [14th Dist.] 2016, orig. proceeding) (per curiam); *see also Ortiz v. State*, 299 S.W.3d 930, 932

(Tex. App.—Amarillo 2009, orig. proceeding) (court of appeals does not have original habeas jurisdiction of bail issues).

Accordingly, we dismiss this original proceeding for want of jurisdiction.

Do Not Publish  
TEX. R. APP. P. 47.2(b)  
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/David J. Schenck/  
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DAVID J. SCHENCK  
JUSTICE