

**DISMISSED and Opinion Filed August 3, 2022**



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

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**No. 05-22-00241-CR**

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**EX PARTE IVAN JEROME RANSOM**

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**On Appeal from the 422nd Judicial District Court  
Kaufman County, Texas  
Trial Court Cause No. 110356-422**

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**MEMORANDUM OPINION**

Before Justices Partida-Kipness, Pedersen III, and Nowell  
Opinion by Justice Nowell

Ivan Jerome Ransom appeals the trial court's order denying his pretrial application for writ of habeas corpus. In a single issue, appellant contends the trial court erred in denying relief because he established the State lacked probable cause to detain him for five felony offenses. The State responds that the case became moot when appellant was indicted, and he has other remedies which preclude habeas relief. Agreeing with the State that the case is now moot, we dismiss the appeal.

Before he is indicted, an accused may file an application for writ of habeas corpus to challenge the existence of probable cause to restrain him. *Ex parte Smith*, 178 S.W.3d 797, 801 & n.9 (Tex. Crim. App. 2005) (per curiam). However, the return of an indictment establishes probable cause as a matter of law and renders

moot any issues regarding probable cause. *Ex parte Plumb*, 595 S.W.2d 544, 545 (Tex. Crim. App. [Panel Op.] 1980); *Ex parte Branch*, 553 S.W.2d 380, 381 (Tex. Crim. App. 1977); *Ex parte Welch*, 729 S.W.2d 306, 308–09 (Tex. App.—Dallas 1987, no pet.); *Ex parte Cardenas*, 557 S.W.3d 722, 736 (Tex. App.—Corpus Christi-Edinburg 2018, no. pet.).

The record shows appellant was indicted shortly after the appeal was filed. The indictments are filed in a supplemental clerk’s record.

Because appellant has been indicted, and the existence of probable cause is the only issue on appeal, this appeal is moot. *See Branch*, 553 S.W.2d at 381; *Welch*, 729 S.W.2d at 308–09; *Cardenas*, 557 S.W. 3d at 736; *see also, e.g., Ex parte Watson*, 05-04-00256-CR, 2004 WL 1663198, at \*1 (Tex. App.—Dallas, no pet.) (not designated for publication) (return of indictment established probable cause as matter of law and rendered appeal moot).

Accordingly, we dismiss the appeal.

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TEX. R. APP. P. 47.2(b)

/Erin A. Nowell//  
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ERIN A. NOWELL  
JUSTICE



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

**JUDGMENT**

EX PARTE IVAN JEROME  
RANSOM

No. 05-22-00241-CR

On Appeal from the 422nd Judicial  
District Court, Kaufman County,  
Texas  
Trial Court Cause No. 110356-422.  
Opinion delivered by Justice Nowell.  
Justices Partida-Kipness and  
Pedersen III participating.

Based on the Court's opinion of this date, the appeal is **DISMISSED**.

Judgment entered this 3<sup>rd</sup> day of August, 2022.