

DISMISSED and Opinion Filed October 28, 2022



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

No. 05-22-01132-CV

IN RE JOSHUA CORNELL SKINNER, Relator

**Original Proceeding from the 204th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F15-20176**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Partida-Kipness, and Justice Smith
Opinion by Chief Justice Burns

Before the Court is relator's October 19, 2022 petition for writ of mandamus.

This Court previously affirmed, as modified, relator's conviction for aggravated sexual assault of a child under the age of fourteen. *See Skinner v. State*, No. 05-17-00153-CR, 2018 WL 3545023, at *1 (Tex. App.—Dallas July 24, 2018, pet. ref'd) (mem. op., not designated for publication). In his petition, relator contends that his sentence is void, his constitutional rights were violated during his trial, his trial and appellate counsel were ineffective, the trial court erred by overruling a motion for directed verdict, the trial court erred by allowing "kidnapping" to be removed from the jury charge, and he is being detained illegally. Relator requests this Court to reverse his conviction and acquit relator.

We construe relator’s petition as a petition for writ of habeas corpus. *See In re Noble*, No. 05-11-00975-CV, 2011 WL 3558802, at *1 (Tex. App.—Dallas Aug. 15, 2011, orig. proceeding) (mem. op.) (construing motion for leave to file writ of mandamus wherein relator sought to “present his innocence” and to cease “being unlawfully restrained” as a petition for writ of habeas corpus). This Court does not have original jurisdiction to consider petitions seeking habeas relief generated in connection with criminal convictions. *See* TEX. CODE CRIM. PROC. ANN. art. 11.05; TEX. GOV’T CODE ANN. § 22.221(d); *In re Neal*, No. 05-22-01010-CV, 2022 WL 6935531, at *1 (Tex. App.—Dallas Oct. 12, 2022, orig. proceeding).

Accordingly, we dismiss relator’s petition for want of jurisdiction.

/Robert D. Burns, III/

ROBERT D. BURNS, III
CHIEF JUSTICE

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