

Opinion issued September 17, 2009



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00558-CR

DAVID CLEO RICHARD, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 262nd District Court
Harris County, Texas
Trial Court Cause No. 473584**

MEMORANDUM OPINION

On June 27, 1988, the trial court entered a judgment adjudicating guilt in the above-referenced case, and sentenced appellant to 30 years confinement for the offense of aggravated robbery. Appellant filed a timely notice of appeal on July 8,

1988, and the appeal was assigned to this Court as appeals number 01-88-00634-CR. On April 26, 1990, we issued an opinion affirming the judgment of the trial court. *Richard v. State*, 788 S. W. 2d 917(Tex. App.—Houston [1st Dist.] Ap. 26, 1990, no pet.). Our mandate issued on June 11, 1990.

On June 9, 2009, appellant filed a second notice of appeal in trial court cause number 473584. The appeal was assigned to this Court and given appellate cause number 01-09-00558-CR.

Our judgment of April 26, 1990, is final. Exclusive post-conviction jurisdiction of the case has passed to the Texas Court of Criminal Appeals in accordance with article 11.07 of the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 (Vernon Supp. 2008).

Accordingly, we dismiss for lack of jurisdiction.

PER CURIAM

Panel consists of Justices Keyes, Alcalá, and Hanks.

Do not publish. TEX. R. APP. P. 47.4.