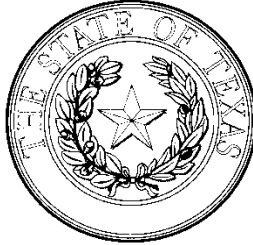


Opinion issued January 13, 2011



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-10-01052-CR

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**IN RE MICHAEL HOSEA, Relator**

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**Original Proceeding on Petition for Writ of Mandamus**

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**MEMORANDUM OPINION**

Relator Michael Hosea filed a pro se petition for writ of mandamus, complaining that the respondent was without authority to preside over a trial in which relator was convicted of felony murder.<sup>1</sup> This Court affirmed relator's conviction in an opinion that issued on November 6, 1997, and our mandate issued

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<sup>1</sup> Relator names as respondent the Honorable Jimmy Robert James, apparently presiding by assignment over case number 94-15203 in the 232nd District Court of Harris County, Texas. The Honorable Mary Lou Keel currently is the presiding judge of the 232nd District Court.

on March 3, 1998. *See Hosea v. State*, No. 01-95-00358-CR, 1997 WL 709453, at \*5 (Tex. App.—Houston [1st Dist.] Nov. 6, 1997, pet. ref'd). The Texas Court of Criminal Appeals refused relator's petition for discretionary review. *Id.* Thus, the judgment of conviction is final.

Article 11.07 of the Code of Criminal Procedure provides the exclusive means to challenge a final conviction. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 § 5 (Vernon Supp. 2010). Pursuant to that article, only the Texas Court of Criminal Appeals has jurisdiction to grant post-conviction relief from a final felony conviction. *See id.*; *In re McAfee*, 53 S.W.3d 715, 717–18 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). Accordingly, this Court does not have jurisdiction to consider relator's complaint.

Relator's petition for writ of mandamus is dismissed for want of jurisdiction. All outstanding motions are overruled as moot.

### **Per Curiam**

Panel consists of Chief Justice Radack and Justices Alcala and Bland.

Do not publish. TEX. R. APP. P. 47.2(b).