

Opinion issued February 3, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00040-CR

IN RE JEREMY ROBINSON, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator Jeremy Robinson has filed a second petition for writ of mandamus, complaining that he has not been provided copies of all transcripts, pleadings, and other documents and materials relating to his final, felony conviction in case number 9840590 in the 228th District Court of Harris County.*

* A jury convicted Robinson of felony murder and assessed punishment at life in prison and a fine of \$10,000. See TEX. PEN. CODE ANN. § 19.02(b)(3) (West 2003). This Court affirmed Robinson's conviction, and the Texas Court of

Relator's first petition was dismissed because it named as respondents persons against whom this Court has no jurisdiction to issue a writ of mandamus. *See In re Robinson*, No. 01-10-00910-CR, 2010 WL 5060625, at *1 (Tex. App.—Houston [1st Dist.] Dec. 9, 2010, orig. proceeding) (citing TEX. GOV'T CODE ANN. § 22.221(West 2004)). This second petition will not support mandamus relief against any respondent because it does not comply with the Texas Rules of Appellate Procedure. Relator has not served all parties with a copy of the petition. *See* TEX. R. APP. P. 9.5(a).

We note that relator seeks copies of the transcripts, pleadings, and other documents and materials in the underlying case for the purpose of challenging his final felony conviction. This Court has no authority to issue writs of mandamus in criminal law matters pertaining to proceedings seeking relief from final felony judgments. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 5 (West Supp. 2010). That jurisdiction rests exclusively with the Texas Court of Criminal Appeals. *See Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for the Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995); *In re McAfee*, 53 S.W.3d 715, 717–18 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). Thus, even had relator properly served the other parties with a copy of his second petition for writ of mandamus, this Court could not grant relator the relief he seeks.

Criminal Appeals refused his petition for discretionary review. *See Robinson v. State*, 236 S.W.3d 260 (Tex. App.—Houston [1st Dist.] 2007, pet. ref'd).

Relator's petition for writ of mandamus is **denied**.

PER CURIAM

Panel consists of Justices Keyes, Sharp, and Massengale.

Do not publish.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