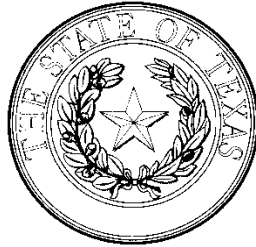


Opinion issued June 28, 2016



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

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NO. 01-16-00455-CR

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IN RE JOHN CHRISTOPHER ROSS, Relator

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Original Proceeding on Petition for Writ of Mandamus

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**MEMORANDUM OPINION**

Relator, John Christopher Ross, proceeding *pro se* and incarcerated, has filed a petition for writ of mandamus. Relator seeks to compel the respondent district clerk to transmit to the Texas Court of Criminal Appeals relator's pending post-

conviction application for a writ of habeas corpus, filed under Article 11.07.<sup>1</sup> *See* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 1 (West Supp. 2015).

We lack jurisdiction to issue a writ of mandamus directed at the district clerk because the requested writ is neither against a judge nor is it necessary to enforce our appellate jurisdiction. *See* TEX. GOV'T CODE ANN. §§ 22.221(a), (b) (West Supp. 2015). To the extent that relator also meant to name the trial judge as respondent, we still lack jurisdiction because the Texas Court of Criminal Appeals has exclusive jurisdiction over Article 11.07 post-conviction habeas applications arising from final felony convictions. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 3(a); *Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013) (orig. proceeding) (per curiam).

Accordingly, we dismiss the petition for writ of mandamus for want of jurisdiction.

### **PER CURIAM**

Panel consists of Justices Higley, Bland, and Massengale.

Do not publish.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

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<sup>1</sup> Respondent is Chris Daniel, District Clerk, Harris County, Texas. The underlying case is *Ex parte John Christopher Ross*, No. 1254204-A, 182nd District Court, Harris County, Texas, The Honorable Jeannine Barr, presiding.