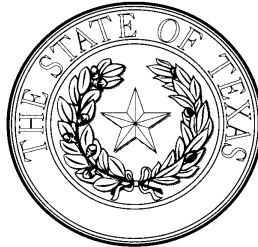


Opinion issued February 27, 2018



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

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NO. 01-17-00699-CR

NO. 01-17-00709-CR

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IN RE NITEROI JERMONE DAVIS, Relator

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Original Proceedings on Petitions for Writ of Habeas Corpus

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**MEMORANDUM OPINION**

Relator, Niteroi Jermone Davis, pro se, has filed applications for writs of habeas corpus, seeking to review orders denying appellant's motion to dismiss deferred adjudication and reduction of bail in an underlying state-jail-felony-

offense of possession of a controlled substance.<sup>1</sup> We dismiss the applications for lack of jurisdiction.

We do not have original habeas corpus jurisdiction in felony cases. *See* TEX. CONST. art. V, § 6; TEX. CODE CRIM. PROC. ANN. arts. 4.03, 11.07 § 2 (West 2015); TEX. GOV'T CODE ANN. § 22.221 (West Supp. 2017); *Ortiz v. State*, 299 S.W.3d 930, 932 (Tex. App.—Amarillo 2009, no pet.); *Chavez v. State*, 132 S.W.3d 509, 510 (Tex. App.—Houston [1st Dist.] 2004, no pet.); *cf.* TEX. R. APP. P. 31.1 (pertaining to appellate review of judgment or order in habeas corpus or bail proceeding).

Furthermore, even if we construe the applications as appeals of trial court's orders denying relator's applications for writs of habeas corpus, the record contains no such orders. Unless a written, signed order of the trial court appears in the record, we have no jurisdiction over an appeal. *See Broussard v. State*, No. 01-10-00458-CR, 2010 WL 4056861, at \*2 (Tex. App.—Houston [1st Dist.] Oct. 14, 2010, no pet.) (mem. op., not designated for publication); *Wallace v. State*, Nos. 12-01-00353-CR, 12-01-00354-CR, 2002 WL 657396, at \*1 (Tex. App.—Tyler April 12, 2002, no pet.) (not designated for publication); *Lowe v. State*, No. 14-00-01110-CR, 2001 WL 101771, at \*2 (Tex. App.—Houston [14th Dist.] Feb. 8,

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<sup>1</sup> The underlying case is *The State of Texas v. Niteroi Jerome Davis*, cause number 16,018, pending in the 21st District Court of Washington County, Texas, the Honorable Terry Flenniken presiding.

2001, no pet.) (not designated for publication); *cf.* TEX. R. APP. P. 34.5(a)(5) (requiring copy of order being appealed to appear in record).

On November 2, 2017, we notified the appellant that these two causes were subject to dismissal for want of jurisdiction unless, by January 3, 2017, he filed a response showing that this Court has jurisdiction over them. Appellant filed a response, but it failed to demonstrate to this Court that we have jurisdiction over these applications.

Accordingly, we dismiss the applications for lack of jurisdiction. *See* TEX. R. APP. P. 43.2(f). We dismiss all pending motions as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Massengale and Brown.

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