

Opinion issued January 23, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00021-CR

IN RE JOSHUA TYRONE LANE, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Joshua Tyrone Lane, has filed a pro se “Original Application for Writ of Mandamus.” Relator seeks to compel the respondent district judge to conduct a hearing regarding whether relator’s application for a writ of habeas corpus meets the

exceptions for subsequent writs for felony convictions, pursuant to Section 4 of Article 11.07 of the Texas Code of Criminal Procedure.¹

In 2009, this Court affirmed relator's felony convictions for murder and two counts of aggravated robbery. *See Lane v. State*, Nos. 01-08-00460-CR, 01-09-00645-CR, 01-09-00646-CR, 2009 WL 3400956 (Tex. App.—Houston [1st Dist.] Oct. 22, 2009, pet. ref'd) (per curiam) (mem. op., not designated for publication). Thus, because this petition involves final felony convictions, we 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)* (West 2017); *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 construe the application as a petition for a writ of mandamus and dismiss the petition for want of jurisdiction.

PER CURIAM

Panel consists of Justices Keyes, Brown, and Lloyd.

Do not publish.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

¹ The petition indicates that the underlying case is *The State of Texas v. Joshua Tyrone Lane*, No. 54972, 300th District Court, Brazoria County, Texas, the Honorable K. Randall Hufstetler presiding.