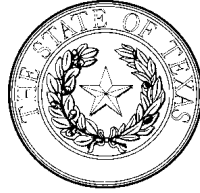


**Opinion issued August 18, 2020**



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

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**NO. 01-20-00558-CR**

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**IN RE ANDRE JONES, Relator**

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**On Appeal from the 182nd District Court  
Harris County, Texas  
Trial Court Cause No. 917355**

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**MEMORANDUM OPINION**

On August 7, 2003, relator, Andre Jones, was convicted of aggravated sexual assault and sentenced to 45 years in prison (trial court cause number 917355). Appellant appealed his conviction and we issued an opinion affirming the conviction on January 27, 2005. *See Jones v. State*, No. 01-03-00828-CR,

2005 WL 174484, at \*5 (Tex. App.—Houston [1st Dist.] Jan. 27, 2005, no pet.) (mem. op., not designated for publication). Our mandate issued on June 15, 2005.

On July 31, 2020, relator filed an “2nd Amended Application for a Writ of Mandamus,” asserting various errors in the underlying conviction and that this Court should order the lower court “his right to release as a United States Citizen.”

Relator’s mandamus petition is a collateral attack on a final felony conviction and, therefore, falls within the scope of a post-conviction writ of habeas corpus under article 11.07 of the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. art. 11.07. Article 11.07 provides the exclusive means to challenge the conviction. *See id.*; *Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013). Although “the courts of appeals have mandamus jurisdiction in criminal matters, only the Texas Court of Criminal Appeals has jurisdiction in final post-conviction felony proceedings.” *In re McAfee*, 53 S.W.3d 715, 717 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding); *see also In re Briscoe*, 230 S.W.3d 196, 196 (Tex. App.—Houston [14th Dist.] 2006, orig. proceeding) (“Article 11.07 contains no role for the courts of appeals.”). Accordingly, we do not have jurisdiction over relator’s mandamus petition.

We dismiss the petition for want of jurisdiction. We overrule any pending motions as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Lloyd and Countiss.

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