

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
February 2, 2010**



In The

Fourteenth Court of Appeals

NO. 14-10-00048-CR

IN RE JAMES THOMAS GREEN, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS**

MEMORANDUM OPINION

On January 15, 2010, relator, James Thomas Green, filed a petition for writ of mandamus in this Court. *See* Tex. Gov't Code Ann. §22.221 (Vernon 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this Court to compel the Honorable Joan Campbell, presiding judge of the 248th District Court of Harris County, to “enter Judgment of Acquittal in cause number 715266 with respect to the untimely abandoned, i.e., acquitted murder count, or to answer why relator does not have a liberty interest and entitlement to such judgment via the Fifth Amendment Double Jeopardy Clause.” This

court previously affirmed relator's conviction for murder. *See Green v. State*, No. 14-96-01536-CR, 1999 WL 33620 (Tex. App.—Houston [14th Dist.] Jan. 28, 1999, pet. ref'd) (not designated for publication).

Relator is seeking post-conviction habeas relief. Although courts of appeals have jurisdiction in criminal matters, only the Texas Court of Criminal Appeals has jurisdiction over matters related to final post-conviction felony proceedings. *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App.1991) (orig. proceeding). Therefore, we do not have jurisdiction in this original proceeding.

Accordingly, relator's petition for writ of mandamus is dismissed for lack of jurisdiction.

PER CURIAM

Panel consists of Justices Frost, Boyce, and Sullivan.

Do Not Publish—Tex. R. App. P. 47.2(b).