

Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed March 11, 2010



In The

Fourteenth Court of Appeals

NO. 14-10-00207-CR

IN RE EDWARD R. NEWSOME, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS**

MEMORANDUM OPINION

On March 4, 2010, relator, Edward R. Newsome, 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 claims the State has unlawfully restrained him following a conviction for unauthorized use of a motor vehicle. Relator names the Texas Board of Pardons and Paroles as the respondent.

A court of appeals has no general writ power over a person—other than a judge of a district or county court—unless issuance of the writ is necessary to enforce the court's

jurisdiction. *See* Tex. Gov't Code Ann. § 22.221. Respondent is not a district or county judge. Moreover, relator has not shown that the exercise of our mandamus authority against the respondent is necessary to enforce our jurisdiction because 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 to issue a writ of mandamus against the respondent.

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

PER CURIAM

Panel consists of Justices Yates, Seymore, and Brown.

Do Not Publish—Tex.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