

Motion Granted; Appeal Dismissed and Memorandum Opinion filed March 3, 2011.



In The

Fourteenth Court of Appeals

NO. 14-10-01166-CR

LAWRENCE W. ATKINS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 23rd District Court
Brazoria County, Texas
Trial Court Cause No. 34,410-3**

M E M O R A N D U M O P I N I O N

A jury convicted appellant of the offenses of aggravated sexual assault and prohibited sexual conduct and sentenced him to confinement for life in the Institutional Division of the Texas Department of Criminal Justice on October 9, 1998. His conviction was affirmed in an unpublished opinion. *Atkins v. State*, No. 14-98-01368-CR (Tex. App.—Houston [14th Dist.] 2001, no pet.) (not designated for publication).

On November 15, 2010, appellant filed a new notice of appeal, asserting newly discovered evidence. We lack jurisdiction over this attempted appeal. The exclusive

post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to article 11.07 of the Code of Criminal Procedure. *See* Tex. Code Crim. Proc. Ann. art. 11.07; *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991).

On February 14, 2011, the State filed a motion to dismiss this appeal. The motion is granted and the appeal is dismissed.

PER CURIAM

Panel consists of Justices Anderson, Seymore, and McCally.

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