

Dismissed and Memorandum Opinion filed September 8, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00514-CR

VAHYA LASFAR, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 1094293**

MEMORANDUM OPINION

Appellant entered a guilty plea to possession of less than one gram of cocaine. In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant on January 2, 2007, to confinement for 180 days in the Harris County Jail. On May 16, 2011, appellant filed a motion to vacate or set aside his conviction. The trial court denied the motion on May 18, 2011. On May 31, 2011, appellant filed a pro se notice of appeal. We dismiss the appeal.

The trial court entered a certification of the defendant's right to appeal in which the court certified that this is a plea bargain case, and the defendant has no right of appeal. *See* Tex. R. App. P. 25.2(a)(2). The trial court's certification is included in the record on appeal. *See* Tex. R. App. P. 25.2(d). The record supports the trial court's certification. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

The ruling on appellant's motion to vacate or set aside his conviction is not an appealable order. Appellant's motion is not a petition for post-conviction habeas corpus relief pursuant to article 11.07 of the Texas Code of Criminal Procedure. Even if the motion could be construed as a request for habeas corpus relief, however, this court would not have jurisdiction to consider this appeal. Only the Texas Court of Criminal Appeals has jurisdiction over matters related to post-conviction relief from a final felony conviction. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. 1991); *see also* Tex. Code Crim. Proc. Ann. art. 11.07; *Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (holding that article 11.07 provides the exclusive means to challenge a final felony conviction).

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Frost, Seymore and Jamison.

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