

Petition for Writ of Mandamus Denied and Memorandum Opinion filed October 20, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00845-CR

IN RE THOMAS FLORENCE, Relator

ORIGINAL PROCEEDING
WRIT OF MANDAMUS
56th District Court
Galveston County, Texas
Trial Court Cause No. 10CR1217

MEMORANDUM OPINION

On September 29, 2011, relator 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. Relator claims his conviction is void due to defects in the charging instrument.

Texas Code of Criminal Procedure article 11.07 governs the procedure for obtaining post-conviction relief from a final felony conviction. *See* Tex. Code Crim. Proc. Ann. art. 11.07 (West Supp. 2010). Article 11.07 provides no role for the courts of appeals in this process. *See id.* 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); *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 are without jurisdiction to declare relator's conviction void and order his release.

Relator's petition is dismissed for lack of jurisdiction. Tex. R. App. P. 52.8(a).

PER CURIAM

Panel consists of Justices Brown, Boyce, and McCally.

Do Not Publish — Tex.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