

**Dismissed and Memorandum Opinion filed September 30, 2014.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-14-00707-CR**

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**STEVEN BERNELL PENTON, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 149th District Court  
Brazoria County, Texas  
Trial Court Cause No. 65544-A**

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

Appellant filed a pro se notice of appeal from the order of the Court of Criminal Appeals denying his application for post-conviction writ of habeas corpus pursuant to Article 11.07 of the Texas Code of Criminal Procedure. An article 11.07 writ of habeas corpus is returnable to the Court of Criminal Appeals, and that court's decision cannot be appealed to this court. *See* Tex. Code Crim. Proc. art. 11.07, § 3. Only the Court of Criminal Appeals has jurisdiction to review post-

conviction habeas corpus proceedings. *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 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).

This court lacks jurisdiction to consider an appeal from the order on appellant's post-conviction application for writ of habeas corpus. Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Christopher and Busby.

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