

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
December 9, 2015.**



In The

Fourteenth Court of Appeals

NO. 14-15-01008-CR

IN RE MICHAEL WILLIAM GODFREY, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
230th District Court
Harris County, Texas
Trial Court Cause No. 912345-D**

MEMORANDUM OPINION

On December 2, 2015, relator Michael William Godfrey filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to review for legal and factual sufficiency the findings of fact entered by the Honorable Brad

Hart, presiding judge of the 230th District Court of Harris County, in the underlying habeas corpus proceeding.

Only the Court of Criminal Appeals has jurisdiction in final post-conviction felony proceedings. Tex. Code Proc. Ann. art. 11.07 (West 2015); *Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013) (orig. proceeding); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (orig. proceeding). Therefore, this court has no mandamus jurisdiction in matters related to petitions for writ of habeas corpus in criminal cases. *See In re Briscoe*, 230 S.W.3d 196, 196 (Tex. App.—Houston [14th Dist.] orig. proceeding) (“We have no authority to issue writs of mandamus in criminal law matters pertaining to proceedings under article 11.07); *In re McAfee*, 53 S.W.3d 175, 718 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding) (concluding that court of appeals had no authority to issue writs of mandamus in criminal law matters pertaining to proceedings under article 11.07). To complain about any action or inaction of the convicting court, relator may seek mandamus relief from the Texas Court of Criminal Appeals. *See Briscoe*, 230 S.W.3d at 196–97; *McAfee*, 53 S.W.3d at 718.

Accordingly, we dismiss relator’s petition for writ of mandamus for lack of jurisdiction.

PER CURIAM

Panel consists of Justices Jamison, Donovan, Wise.
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