

Petition for Writ of Mandamus Dismissed and Opinion filed April 19, 2016.



In The

Fourteenth Court of Appeals

NO. 14-16-00291-CR

IN RE EDWARD ROY NEWSOME, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
179th District Court
Harris County, Texas
Trial Court Cause No. 441673**

MEMORANDUM OPINION

On April 8, 2016, relator Edward Roy Newsome 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 compel the Honorable Kristin M. Guiney, presiding judge of the 179th District Court of Harris County, to

vacate an alleged order that disqualified relator's counsel. The alleged disqualification order is not part of the record.

This court affirmed relator's conviction for the felony of unauthorized use of a motor vehicle in 1988 in the trial court below, and the Texas Court of Criminal Appeals refused his petition for discretionary review. *See Newsome v. State*, No. C14-87-00048-CR, 1988 WL 26430 (Tex. App.—Houston [14th Dist.] 1988, pet. ref'd) (not designated for publication). Therefore, relator's conviction is final.

Because relator's petition involves a final post-conviction felony proceeding, it is governed by Article 11.07 of the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West Supp.2014); *see also id.* at art. 11.07 § 5 (stating that, “[a]fter conviction the procedure outlined in this Act shall be exclusive and any other proceeding shall be void and of no force and effect in discharging the prisoner.”). Only the Court of Criminal Appeals has jurisdiction in final post-conviction felony proceedings. *Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013).

We therefore dismiss relator's petition for want of jurisdiction.

PER CURIAM

Panel consists of Justices Boyce, Christopher, and Jamison.
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