

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
May 17, 2016.**



In The

Fourteenth Court of Appeals

NO. 14-16-00377-CR

IN RE KYLE FRANKS, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
176th District Court
Harris County, Texas
Trial Court Cause No. 611262**

MEMORANDUM OPINION

On May 9, 2016, relator Kyle Franks 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 complains that he received ineffective assistance of trial and appellate counsel.

Relator is requesting habeas corpus relief. The courts of appeals have no original habeas-corpus jurisdiction in criminal matters. *In re Ayers*, No. 14-16-00274-CR, — S.W.3d —, 2016 WL 1533747, at *1 (Tex. App.—Houston [14th Dist.] Apr. 14, 2016, orig. proceeding). Original jurisdiction to grant a writ of habeas corpus in a criminal case is vested in the Texas Court of Criminal Appeals, the district courts, the county courts, or a judge in those courts. Tex. Code Crim. Proc. Ann. art. 11.05 (West 2015); *Ayers*, 2016 WL 1533747, at *1. Therefore, this court is without jurisdiction to consider relator’s petition requesting habeas corpus relief.

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

PER CURIAM

Panel consists of Justices Boyce, Christopher, and Jamison.
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