

Dismissed and Memorandum Opinion filed January 19, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00031-CR

IN RE LYNVAL M. PEARSON, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
263rd District Court
Harris County, Texas
Trial Court Cause No. 9403483-B**

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

On January 12, 2017, relator Lynval M. Pearson 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 Jim Wallace, presiding judge of the 263rd District Court of Harris County, to enforce his May 28, 2015 order and order relator's trial counsel to file an affidavit in the 11.07 habeas corpus proceeding pending in the trial court.

Only the Court of Criminal Appeals has jurisdiction in final post-conviction felony proceedings. Tex. Code Crim. Proc. Ann. art. 11.07; *Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013); *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.] 2006, orig. proceeding) (“We have no authority to issue writs of mandamus in criminal law matters pertaining to proceedings under article 11.07.”).

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

PER CURIAM

Panel consists of Justices Christopher, Jamison, and Donovan.
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