

Dismissed and Memorandum Opinion filed June 22, 2021.



In The
Fourteenth Court of Appeals

NO. 14-20-00837-CR

EX PARTE ANDRE BAILEY

**On Appeal from the County Criminal Court at Law No. 3
Harris County, Texas
Trial Court Cause No. 2324058**

MEMORANDUM OPINION

This is an attempted appeal of a denial of habeas-corpus relief. The trial court's judgment states that habeas-corpus relief was denied because the original case was dismissed.

A habeas-corpus applicant must be illegally restrained to be entitled to relief. *Ex Parte Weise*, 55 S.W.3d 617, 619 (Tex. Crim. App. 2001). When appellant's underlying charge was dismissed his habeas-corpus proceeding was rendered moot. "The longstanding rule in Texas regarding habeas corpus is that where the premise of a habeas corpus application is destroyed by subsequent developments,

the legal issues thereunder are moot.” *Ex parte Guerrero*, 99 S.W.3d 852, 853 (Tex. App.—Houston [14th Dist.] 2003, no pet.) (internal quotation marks and citation omitted) (mem. op.). On May 6, 2021, this court transmitted notice to all parties of the court’s intent to dismiss the appeal for want of jurisdiction. Appellant’s response failed to demonstrate that this court has jurisdiction to entertain the appeal.

Accordingly, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Panel Consists of Justices Wise, Jewell, and Spain.

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