

Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-12-00262-CR

In re Jose Roberto Medina, Relator

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Santee Bryan Marion, Justice
Steven C. Hilbig, Justice

Delivered and Filed: May 9, 2012

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On April 30, 2012, Relator Jose Roberto Medina filed a petition for writ of mandamus, complaining that the 226th Judicial District Court has failed to provide him with copies of records he claims he requested. In 2010, Relator entered a plea bargain agreement, in district court Cause No. 2010-CR-1086, and was sentenced to fifteen years' confinement for burglary of a habitation with the intent to commit a felony with force. On February 9, 2011, in appellate court Cause No. 04-10-00896-CR, this court dismissed the appeal in the above criminal case for lack of jurisdiction because we concluded relator had no right of appeal. Therefore, Relator's felony conviction became final.

¹ This proceeding arises out of Cause No. 2010-CR-1086, styled *State of Texas v. Jose Roberto Medina*, pending in the 226th Judicial District Court, Bexar County, Texas, the Honorable Sid L. Harle presiding.

Only the Texas Court of Criminal Appeals has jurisdiction over matters related to post-conviction relief from an otherwise final felony conviction. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. 1991); *see also* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West Supp. 2011); *Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (holding that “Article 11.07 provides the exclusive means to challenge a final felony conviction.”). Because the relief sought in Relator’s petition relates to post-conviction relief from an otherwise final felony conviction, we are without jurisdiction to consider his petition for writ of mandamus.

Accordingly, Relator’s petition is DISMISSED FOR LACK OF JURISDICTION.

PER CURIAM

DO NOT PUBLISH