



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00468-CR

EX PARTE Jerry Soliz **MARTINEZ**

From the 437th Judicial District Court, Bexar County, Texas
Trial Court No. 2008CR1459
Honorable Lori I. Valenzuela, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice
Sandee Bryan Marion, Justice
Marialyn Barnard, Justice

Delivered and Filed: October 8, 2014

DISMISSED FOR LACK OF JURISDICTION

On June 30, 2014, Appellant Jerry Soliz Martinez filed a “Motion of an Out-of-Time Appeal of the Orders of the 437th District Court,” stating that he intends to appeal the trial court’s order of July 2, 2013. Appellant states that he was convicted and sentenced in the 437th Judicial District Court, Bexar County, Texas on June 22, 2011. On October 12, 2012, he contested his conviction by filing an application for writ of habeas corpus pursuant to article 11.07 of the Texas Code of Criminal Procedure. In its July 2, 2013 order, the trial court considered the merits of Martinez’s application for post-conviction writ of habeas corpus and denied the application. We do not have jurisdiction over post-conviction habeas applications in felony cases. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07(a). Post-conviction writs of habeas corpus must be filed in the court of conviction, but made returnable to the Texas Court of Criminal Appeals. *Id.*

Therefore, on July 18, 2014, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On August 22, 2014, appellant filed a response. After considering appellant's response, we conclude that we lack jurisdiction over this appeal.

This appeal is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH