



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00761-CR

Christopher Shaun **ORTIZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 227th Judicial District Court, Bexar County, Texas
Trial Court No. 2009CR11043
Honorable Kevin M. O'Connell, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: October 25, 2017

DISMISSED FOR WANT OF JURISDICTION

Appellant filed a pro se post-conviction application for writ of habeas corpus in this court. We do not have jurisdiction over post-conviction habeas applications in felony cases. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 3(b) (West 2015) (providing that post-conviction applications for habeas corpus must be filed in the court of conviction, and made returnable to the Court of Criminal Appeals); *see also Hoang v. State*, 872 S.W.2d 694, 697 (Tex. Crim. App. 1993). Under the exclusive procedure outlined in article 11.07, only the convicting trial court and the Court of Criminal Appeals have jurisdiction to review the merits of a post-conviction habeas

petition; there is no role for the intermediate courts of appeals in the statutory scheme. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 5 (providing “[a]fter conviction the procedure outlined in this Act shall be exclusive and any other proceeding shall be void and of no force and effect in discharging the prisoner”); *see also Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for the Eighth District*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995); *In re Coronado*, 980 S.W.2d 691, 692 (Tex. App.—San Antonio 1998, no pet.). Therefore, on August 25, 2017, we ordered appellant to show cause why his habeas petition should not be dismissed for lack of jurisdiction. Appellant did not respond. Accordingly, this post-conviction petition for habeas corpus relief is dismissed for want of jurisdiction.

PER CURIAM

DO NOT PUBLISH