



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-22-00311-CR

EX PARTE Otis **GREER**

From the 227th Judicial District Court, Bexar County, Texas
Trial Court No. 1992CR1623W-W4
Honorable Kevin M. O’Connell, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: July 13, 2022

DISMISSED FOR WANT OF JURISDICTION

In 1992, Appellant pled guilty to aggravated sexual assault, a felony. He was sentenced to confinement in the Texas Department of Criminal Justice—Institutional Division for life.

After Appellant filed a fourth subsequent petition for post-conviction writ of habeas corpus, *see* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 4(a), on January 4, 2022, the trial court found that it could not reach the merits of Appellant’s subsequent application because the application did not meet the statutory requirements. *See id.*

On March 31, 2022, Appellant filed an untimely pro se notice of appeal in this court. *See* TEX. R. APP. P. 26.2, 26.3.

On May 31, 2022, we advised Appellant that this court has “no jurisdiction over post-conviction writs of habeas corpus in felony cases.” *In re Coronado*, 980 S.W.2d 691, 692 (Tex.

App.—San Antonio 1998, orig. proceeding) (per curiam); *accord* TEX. CODE CRIM. PROC. ANN. art. 11.07, § 3(a); *Hoang v. State*, 872 S.W.2d 694, 697 (Tex. Crim. App. 1993). “Post-conviction writs of habeas corpus are to be filed in the trial court in which the conviction was obtained [and] made returnable to the Court of Criminal Appeals.” *In re Coronado*, 980 S.W.2d at 692 (citing TEX. CODE CRIM. PROC. ANN. art. 11.07, § 3). We ordered Appellant to show cause in writing by June 20, 2022 why this appeal should not be dismissed for want of jurisdiction.

On June 13, 2022, Appellant, representing himself, filed two docketing statements and a motion for extension of time to file an out-of-time motion for new trial.

On June 23, 2022, Appellant filed an affidavit and a motion to file an out-of-time motion for new trial.

On June 30, 2022, Appellant filed a brief addressing this court’s jurisdiction.

To date, none of Appellant’s responses have shown how this court has jurisdiction over his post-conviction writ of habeas corpus in his felony case or how his untimely notice of appeal invoked this court’s jurisdiction. *Contra* TEX. R. APP. P. 26.2; *In re Coronado*, 980 S.W.2d at 692.

Necessarily, we dismiss this appeal for want of jurisdiction. Appellant’s pending motions are denied.

PER CURIAM

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