

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-23-00270-CR

IN RE JEANNIE DUGAS

Original Proceeding
128th District Court of Orange County, Texas

MEMORANDUM OPINION

Jeannie Dugas filed an original petition for a writ of habeas corpus in a criminal case. She states that she has been continuously detained in jail since her arrest on two criminal charges. The statutory grant of power to issue a writ of habeas corpus “to the court of appeals or a court of appeal district in which a person is restrained in his liberty” is limited to restraint of liberty of a person within our district “by virtue of an order, process, or commitment issued by a court or judge because of the violation of an order, judgment, or decree previously made, rendered, or entered by the court or judge in a civil case.” Tex. Gov’t Code Ann. § 22.221(d). An intermediate court of appeals lacks original habeas jurisdiction in criminal law

matters. *See* Tex. Code Crim. Proc. Ann. art. 11.05 (By Whom Writ May Be Granted); *see also* *Denby v. State*, 627 S.W.2d 435 (Tex. App.—Houston [1st Dist.] 1981, orig. proceeding) (“The Courts of Appeals have no original habeas corpus jurisdiction in criminal matters; their jurisdiction is appellate only.”). Accordingly, we dismiss Dugas’s petition for writ of habeas corpus for lack of jurisdiction.

PETITION DISMISSED.

PER CURIAM

Submitted on August 29, 2023
Opinion Delivered August 30, 2023
Do Not Publish

Before Golemon, C.J., Horton and Wright, JJ.