

NO. 07-06-0236-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
JUNE 14, 2006

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EX PARTE ALFRED LEE STONE

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Before QUINN, C.J., and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION**

Alfred Lee Stone, an inmate proceeding *pro se*, has filed an application for a writ of habeas corpus seeking relief from a final conviction for aggravated assault. He argues the indictment was defective thereby denying him the right to prepare a proper defense and his right to due process of law. We dismiss for want of jurisdiction.

This Court has original jurisdiction only in cases specifically prescribed by law. See TEX. CONST. art. 5, § 6; Tex. Gov't Code Ann. §§ 22.220 and 22.221 (Vernon 2004). Article 11.05 of the Texas Code of Criminal Procedure lists the courts which are authorized to issue a writ of habeas corpus. Absent from that list are courts of appeals. See *Kim v. State*, 181 S.W.3d 448, 449 (Tex.App.–Waco 2005, no pet.),

A post-conviction application for a writ of habeas corpus for a felony in which the death penalty was not assessed must be filed in the court of original conviction and made returnable to the Texas Court of Criminal Appeals. See Tex. Code Crim. Proc. Ann. art. 11.07(3)(a), (b) (Vernon 2005). Thus, we do not have jurisdiction to entertain Stone's application.

Accordingly, this proceeding is dismissed for want of jurisdiction.

Don H. Reavis  
Justice

Do not publish.