



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-14-00352-CR

IN RE B.J. ALLEN GALLOWAY, RELATOR

OPINION ON ORIGINAL PROCEEDING FOR WRIT OF HABEAS CORPUS

September 29, 2014

MEMORANDUM OPINION

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

Pending before the court is B.J. Allen Galloway's "Petition for a Writ of Habeas Corpus by a Person in State Custody." The petition is addressed to the Seventh District of Texas, Criminal Division but appears on a form used to pursue habeas relief in federal courts. Through the document, Galloway seeks to set aside a final conviction in Cause No. 66,255 rendered by the district court for the 108th Judicial District, Potter County, Texas, by contending that he was denied effective assistance of counsel. We dismiss the petition.

One seeking to set aside a final conviction via a habeas corpus petition filed in state court must do so pursuant to article 11.07 of the Texas Code of Criminal Procedure. More importantly, we have no jurisdiction over article 11.07 proceedings.

TEX. CODE CRIM. PROC. ANN. art. 11.07 (West Supp. 2014); see *Runnels v. State*, 804 S.W.2d 278 (Tex. App.—Beaumont 1991, no pet.); see also *Watson v. State*, 96 S.W.3d 497, 500 (Tex. App.—Amarillo 2002, pet. ref'd) (holding that courts of appeal lack the authority to issue original writs of habeas corpus in other than certain civil matters); TEX. GOV'T CODE ANN. § 22.221 (West 2004) (providing the authority to issue certain writs).

Accordingly, the petition is dismissed for want of jurisdiction.

Per Curiam

Do not publish.