



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

No. 07-19-00056-CR

EX PARTE MICHAEL WAYNE BELLAR

OPINION ON ORIGINAL PROCEEDING FOR WRIT OF HABEAS CORPUS

February 6, 2019

MEMORANDUM OPINION

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

Applicant Michael Wayne Bellar, appearing pro se, filed an application for writ of habeas corpus in this court seeking to set aside his felony conviction. This intermediate appellate court lacks original habeas corpus jurisdiction in criminal law matters. See TEX. GOV'T CODE ANN. § 22.221(d) (West Supp. 2018) (original habeas corpus jurisdiction of intermediate courts of appeals is limited to civil matters); *Watson v. State*, 96 S.W.3d 497, 500 (Tex. App.—Amarillo 2002, pet. ref'd) (citing *Ex parte Hawkins*, 885 S.W.2d 586, 588 (Tex. App.—El Paso 1994, orig. proceeding) (per curiam)). Instead, such jurisdiction lies with the Court of Criminal Appeals, the district courts, and the county courts. See TEX. CODE CRIM. PROC. ANN. art. 11.05 (West 2015); *Watson*, 96 S.W.3d at 500. Thus, an application for writ of habeas corpus “must be filed with the clerk of the court in which the

conviction being challenged was obtained” and made returnable to the Court of Criminal Appeals. TEX. CODE CRIM. PROC. ANN. art. 11.07 § 3(a), (b) (West 2015).

Accordingly, we dismiss Bellar’s application for writ of habeas corpus for want of jurisdiction.

Per Curiam

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