



**IN THE
TENTH COURT OF APPEALS**

No. 10-10-00345-CR

EX PARTE TIMOTHY L. MAXEY

**From the 272nd District Court
Brazos County, Texas
Trial Court No. 09-04881-CRF-272**

MEMORANDUM OPINION

Timothy L. Maxey has filed an application for writ of habeas corpus under Article 11.07 of the Code of Criminal Procedure with respect to his felony conviction and 17-month sentence for possession of marijuana. This court, as an intermediate court of appeals, has no jurisdiction over post-conviction writs of habeas corpus in felony cases. *See Ex parte Martinez*, 175 S.W.3d 510, 512-13 (Tex. App.—Texarkana 2005, orig. proceeding) (“Our law requires post-conviction applications for writs of habeas corpus, for felony cases in which the death penalty was not assessed, to be filed in the court of original conviction, made returnable to the Texas Court of Criminal Appeals.”) (citing TEX. CODE CRIM. PROC. ANN. art. 11.07(3)(a), (b)).

Because we have no jurisdiction over this post-conviction habeas corpus proceeding, we dismiss it.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Dismissed

Opinion delivered and filed October 6, 2010

Do not publish

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