



**IN THE
TENTH COURT OF APPEALS**

No. 10-21-00335-CR

EX PARTE MARK HANSON

**From the 87th District Court
Freestone County, Texas
Trial Court No. 02-032-CR-A**

MEMORANDUM OPINION

Mark Hanson has filed a notice of appeal from the denial of his Code of Criminal Procedure article 11.07 writ of habeas corpus application by the Court of Criminal Appeals.

The Court of Criminal Appeals and this Court have recognized that “the exclusive post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to [Code of Criminal Procedure article] 11.07.” *Olivo v. State*, 918 S.W.2d 519, 525 n.8 (Tex. Crim. App. 1996); *see* TEX. CODE CRIM. PROC. ANN. art. 11.07; *Ex parte Mendenhall*, 209 S.W.3d 260, 261 (Tex. App. – Waco 2006, no pet.). Moreover, only the Court of Criminal Appeals has jurisdiction to grant post-conviction habeas corpus in felony cases. *See Bd. of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*,

910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (orig. proceeding); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (orig. proceeding). We are therefore without jurisdiction to consider this appeal.

Accordingly, this appeal is dismissed for want of jurisdiction.

Notwithstanding that we are dismissing this appeal, Hanson may file a motion for rehearing with this Court within 15 days after this opinion and judgment are rendered if he believes this opinion and judgment are erroneously based on inaccurate information or documents. *See* TEX. R. APP. P. 49.1. Moreover, if Hanson desires to have the opinion and judgment of this Court reviewed by filing a petition for discretionary review, that petition must be filed with the Court of Criminal Appeals within 30 days after either the day this Court's judgment is rendered or the day the last timely motion for rehearing is overruled by this Court. *See id.* R. 68.2(a).

MATT JOHNSON
Justice

Before Chief Justice Gray,
Justice Johnson, and
Justice Smith
Appeal dismissed
Opinion delivered and filed December 22, 2021
Do not publish
[CR25]

