

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-12-00744-CV**

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**In re Richard Bradley**

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**ORIGINAL PROCEEDING FROM TOM GREEN COUNTY**

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**MEMORANDUM OPINION**

Relator Richard Bradley, an inmate in the Texas Department of Criminal Justice, has filed a pro se petition for writ of mandamus alleging that he is entitled to have his felony conviction set aside. Bradley argues that his judgment of conviction is void because the senior judge who presided over his trial did not meet the statutory requirements to do so.

The relief requested in this petition is nearly identical to the relief that Bradley sought in a prior petition for writ of mandamus that he filed with this Court. *See In re Bradley*, No. 03-12-00483-CV, 2012 Tex. App. LEXIS 7082 (Tex. App.—Austin Aug. 15, 2012, orig. proceeding) (mem. op.). As this Court explained in its opinion in that proceeding, the relief sought by Bradley amounts to relief that is available through a writ of habeas corpus pursuant to article 11.07 of the code of criminal procedure, *see* Tex. Code Crim. Proc. Ann. art. 11.07, § 3 (West Supp. 2012), and this Court is without jurisdiction to grant relief in such cases. *See Bradley*, 2012 Tex. App. LEXIS 7082, at \*1-2; *see also Ex parte Rich*, 194 S.W.3d 508, 511 (Tex. Crim. App. 2006); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 242-43 (Tex. Crim. App. 1991); *In re McAfee*, 53 S.W.3d 715, 718 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding); *In re Valle*,

No. 13-11-00609-CR, 2011 Tex. App. LEXIS 8016 (Tex. App.—Corpus Christi Oct. 5, 2011, orig. proceeding) (per curiam) (mem. op.) (dismissing for want of jurisdiction mandamus petition in which relator complained that his conviction was void because visiting judge who presided over his trial was unauthorized to do so).

The petition for writ of mandamus is dismissed for want of jurisdiction.

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Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Rose

Filed: January 9, 2013