

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00268-CV

In re People Paul West Kimmell

ORIGINAL PROCEEDING FROM LLANO COUNTY

MEMORANDUM OPINION

A document entitled “Habeas Corpus Declaration of New Facts set Certain Supported by Law Briefs” was filed with this Court requesting that we grant the following relief:

A. ORDER making VOID all issues and Orders established in the Third Precinct Court. B. ORDER compelling Texas Attorney General Ken Paxton to make reasonable Mediation for Final Settlement and Closure which is a Reasonable, Rational and Logical for the Public Interest of the People as laid out in the Preamble of State of Texas Constitution hereby Applied.

This appears to be an original application for writ of habeas corpus filed for the first time in this court of appeals rather than an appeal of a ruling on an application for writ of habeas corpus filed in a trial court.

We lack jurisdiction over this application. The courts of appeals in Texas lack jurisdiction to consider a post-conviction application for the writ of habeas corpus in felony cases and in cases in which the applicant seeks relief from an order or judgment of conviction ordering community supervision. *See* Tex. Code Crim. Proc. arts. 11.07, 11.072; *see also Ex parte Williams*, 561 S.W.2d 1, 2 (Tex. Crim. App. 1978); *In re Briscoe*, 230 S.W.3d 196, 196-97

(Tex. App.—Houston [14th Dist.] 2006, orig. proceeding). We also lack original jurisdiction over habeas applications complaining of confinement on a misdemeanor charge. *See* Tex. Code Crim. Proc. art. 11.09.

We dismiss this application for lack of jurisdiction.

Jeff Rose, Chief Justice

Chief Justice Rose, Justices Goodwin and Field

Filed: June 24, 2015