

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

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**NO. 03-19-00432-CV**

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**In re Derrick Lamont Bailey, Jr.**

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**ORIGINAL PROCEEDING FROM BELL COUNTY**

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**MEMORANDUM OPINION**

Derrick Lamont Bailey, Jr. filed a pro se application for a pretrial writ of habeas corpus. However, this Court does not have original habeas jurisdiction in criminal cases. *See* Tex. Gov't Code § 22.221(d) (limiting original habeas jurisdiction of courts of appeals to civil cases); *see also* Tex. Code Crim. Proc. art. 11.05 (“The Court of Criminal Appeals, the District Courts, the County Courts, or any Judge of said Courts, have power to issue the writ of habeas corpus; and it is their duty, upon proper motion, to grant the writ under the rules prescribed by law.”); *In re Fuchs*, No. 03-16-00012-CV, 2016 Tex. App. LEXIS 3737, at \*1-2 (Tex. App.—Austin Apr. 13, 2016, orig. proceeding) (dismissing original habeas application for want of jurisdiction). Accordingly, we dismiss Bailey’s application for want of jurisdiction.

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Gisela D. Triana, Justice

Before Chief Justice Rose, Justices Goodwin and Triana

Filed: June 28, 2019