



NUMBER 13-16-00229-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

MANUEL ABELARDO ROJAS,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 370th District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Garza
Memorandum Opinion Per Curiam**

Appellant, Manuel Abelardo Rojas, attempts a second appeal of his August 13, 2008 conviction for indecency with a child in trial court cause number CR-1349-08-G.

This Court previously issued a memorandum opinion and judgment on January 15, 2009, regarding this trial court cause number in cause number 13-08-000673-CR.¹

This Court lacks jurisdiction to consider a second appeal from appellant's final conviction. The exclusive post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to Texas Code of Criminal Procedure 11.07. TEX. CODE CRIM. PROC. ANN. art. 11.07, § 5 (West, Westlaw through 2015 R.S.) (providing that "[a]fter conviction, the procedure outlined in this Act shall be exclusive and any other proceeding shall be void and of no force and effect in discharging the prisoner"); *Ater v. Eighth Court of Appeals*, 802 S. W.2d 241 (Tex. Crim. App. 1991).

Accordingly, this appeal is DISMISSED for lack of jurisdiction. See TEX. R. APP. P.42.3(a), 43.2(f).

PER CURIAM

Do not publish.
TEX. R. APP. P. 47.2(b).

Delivered and filed the
19th day of May, 2016.

¹ This Court dismissed the appeal because the trial court's certification did not show the defendant had the right of appeal. See TEX. R. APP. P. 25.2(a)(2).