



NUMBER 13-20-00515-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

EX PARTE JOHN D. FERRARA

**On appeal from the County Court at Law No. 5
of Cameron County, Texas.**

MEMORANDUM OPINION

**Before Justices Benavides, Hinojosa, and Silva
Memorandum Opinion by Justice Hinojosa**

Appellant attempts to appeal an order denying post-conviction writ of habeas corpus. On December 23, 2020, the Court abated this matter and remanded to the trial court for entry of a certification of defendant's right to appeal. See TEX. R. APP. 25.2(d). On January 14, 2021, the Court received findings from the trial court indicating appellant does not have the right to appeal.

On October 8, 2020, appellant filed an application for writ of habeas corpus in cause number 19-CCR-01643 in the County Court at Law No. 5 of Cameron County, Texas. On November 2, 2020, the trial court denied the relief sought in the application. On November 4, 2020, appellant filed a notice of appeal wherein he attempts to appeal the trial court's denial habeas corpus relief.

Jurisdiction to grant post-conviction habeas corpus relief in felony cases rests exclusively with the Texas Court of Criminal Appeals. Tex. Code Crim. Proc. Ann. art. 11.07, § 5; *Bd. of Pardons & Paroles ex rel. Keene v. Court of Appeals for the Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995); *In re McAfee*, 53 S.W. 3d 715, 717–18 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). Therefore, this Court does not have jurisdiction over this matter.

Accordingly, the appeal is hereby reinstated and dismissed for want of jurisdiction.

LETICIA HINOJOSA
Justice

Do not publish.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

Delivered and filed on the
25th day of March, 2021.