



NUMBER 13-24-00647-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN RE CHRISTOPHER RIGGINS

ON PETITION FOR WRIT OF HABEAS CORPUS

MEMORANDUM OPINION

**Before Justices Tijerina, Silva, and Peña
Memorandum Opinion by Justice Tijerina¹**

Relator Christopher Riggins has filed an emergency application for writ of habeas corpus seeking release from confinement and the dismissal of all charges filed against him.

Original habeas jurisdiction in criminal proceedings is limited to the Texas Court of Criminal Appeals, the district courts, and the county courts. See TEX. CODE CRIM. PROC. ANN. art. 11.05; *Ex parte Braswell*, 630 S.W.3d 600, 601 (Tex. App.—Waco 2021, orig.

¹ See TEX. R. APP. P. 52.8(d) (“When denying relief, the court may hand down an opinion but is not required to do so. When granting relief, the court must hand down an opinion as in any other case.”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions).

proceeding); *In re Quinata*, 538 S.W.3d 120, 120 (Tex. App.—El Paso 2017, orig. proceeding). Therefore, as an intermediate court of appeals, we lack original habeas jurisdiction in criminal matters. See TEX. GOV'T CODE ANN. § 22.221(d); *In re Neal*, 653 S.W.3d 346, 346 (Tex. App.—Dallas 2022, orig. proceeding); *In re Spriggs*, 528 S.W.3d 234, 236 (Tex. App.—Amarillo 2017, orig. proceeding); see also *In re Burke*, No. 14-23-00584-CR, 2023 WL 5368180, at *1 (Tex. App.—Houston [14th Dist.] Aug. 22, 2023, orig. proceeding) (mem. op. per curiam) (not designated for publication) (“Therefore, this court does not have original habeas corpus jurisdiction over a request to reduce bail in a criminal case.”). Instead, our jurisdiction in such matters is appellate in nature. See TEX. GOV'T CODE ANN. § 22.221(d); *Dodson v. State*, 988 S.W.2d 833, 835 (Tex. App.—San Antonio 1999, no pet.); *Denby v. State*, 627 S.W.2d 435, 435 (Tex. App.—Houston [1st Dist.] 1981, orig. proceeding) (per curiam).

The Court, having examined and fully considered the emergency application for writ of habeas corpus and the applicable law, is of the opinion that we lack jurisdiction to issue the requested relief. See TEX. GOV'T CODE ANN. § 22.221(d); *In re Neal*, 653 S.W.3d at 346; *In re Spriggs*, 528 S.W.3d at 236. Accordingly, we dismiss this original proceeding for lack of jurisdiction. Relator's appeal from the trial court's denial of a writ of habeas corpus remains pending in our appellate cause number 13-24-00634-CR.

JAIME TIJERINA
Justice

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

Delivered and filed on the
20th day of December, 2024.