

NO. 12-14-00252-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

IN RE:

§

PERCY FROMAN,

§

ORIGINAL PROCEEDING

RELATOR

§

***MEMORANDUM OPINION
PER CURIAM***

Relator, Percy Froman, requests a writ of mandamus directing the trial court to forward his postconviction application for writ of habeas corpus to the court of criminal appeals. The court of criminal appeals has recently reiterated that because it has exclusive Article 11.07 jurisdiction, an intermediate appellate court has no jurisdiction to rule on matters pertaining to a pending Article 11.07 application. *See Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117-18 (Tex. Crim. App. 2013); *see also* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West Supp. 2014). Relator asserts that the trial court received his habeas application on October 29, 2013. Therefore, his complaint relates to a pending Article 11.07 application. Consequently, we have no jurisdiction to address the merits of his complaint. *See Padieu*, 392 S.W.3d at 117-18. Accordingly, we *dismiss* Relator's petition for writ of mandamus.

Opinion delivered October 8, 2014.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(DO NOT PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 8, 2014

NO. 12-14-00252-CR

PERCY FROMAN,

Relator

V.

HON. CHRISTI J. KENNEDY,

Respondent

ORIGINAL PROCEEDING

ON THIS DAY came to be heard the petition for writ of mandamus filed by **PERCY FROMAN** on September 2, 2014, and the same having been duly considered, because it is the opinion of this Court that a writ of mandamus should not issue, it is therefore **CONSIDERED, ADJUDGED and ORDERED** that the said petition for writ of mandamus be, and the same is, hereby **DISMISSED**.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.