TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00351-CV

In re Johnathan Johnson

ORIGINAL PROCEEDING FROM HAYS COUNTY

M E M O R A N D U M O P I N I O N

Johnathan Johnson filed a pro se petition for writ of habeas corpus alleging that he is being held in violation of his constitutional rights. However, Johnson has not provided proof as required by the rules of appellate procedure that he is being restrained or of any order complained of. *See* Tex. R. App. P. 52.3(k)(1); *see also In re Johnson*, No. 03-15-00682-CV, 2015 Tex. App. LEXIS 11863 (Tex. App.—Austin Nov. 19, 2015, orig. proceeding). We also note that this Court does not have jurisdiction over the original post-conviction habeas process because such jurisdiction is vested in the Court of Criminal Appeals. *See Padieu v. Court of Appeals of Tex., Fifth Dist.*, 392 S.W.3d 115, 117 (Tex. Crim. App. 2013); *see also* Tex. Code Crim. Proc. art. 11.07. We deny the request for relief.

Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Pemberton and Bourland

Filed: May 27, 2016