In The
Court of Appeals
Seventh District of Texas at Amarillo

No. 07-20-00212-CR

EX PARTE RICKY MORRISON

OPINION ON ORIGINAL PROCEEDING
FOR WRIT OF HABEAS CORPUS

August 27, 2020

MEMORANDUM OPINION

Before QUINN, C.J., and PIRTLE and DOSS, JJ.

Appearing pro se, Ricky Morrison has filed an application for writ of habeas corpus with this Court seeking to set aside a final felony conviction.[1]

An intermediate court of appeals does not have original habeas corpus jurisdiction in criminal law matters. *See* TEX. GOV'T CODE ANN. § 22.221(d) (West Supp. 2019) (limiting original habeas corpus jurisdiction of intermediate courts of appeals to civil

[1] Morrison was previously convicted of aggravated sexual assault. This Court affirmed the conviction on appeal. *See Morrison v. State*, No. 07-07-00401-CR, 2010 Tex. App. LEXIS 1165, at *18 (Tex. App.—Amarillo Feb. 18, 2010, pet. ref'd) (mem. op., not designated for publication). On August 14, 2020, Morrison filed a "Formal Request 28 U.S.C. § 2254, 28 U.S.C. § 2243" and a "Voluntary Motion to Dismiss any Frivolous Petitions 28 U.C.S. § 2243, 2254" challenging his conviction. We have construed these documents as seeking habeas corpus relief. *See Ex parte Gray*, 649 S.W.2d 640, 642 (Tex. Crim. App. 1983) (requiring courts to look to the substance of the relief sought, rather than the nomenclature or form of the pleading).

matters); *Ex parte Hawkins,* 885 S.W.2d 586, 588 (Tex. App.—El Paso 1994, orig. proceeding) (per curiam). Instead, habeas jurisdiction in criminal proceedings rests with the Court of Criminal Appeals, the district courts, and the county courts. TEX. CODE CRIM. PROC. ANN. art. 11.05 (West 2015); *Hawkins,* 885 S.W.2d at 588. Only the Court of Criminal Appeals has authority to grant post-conviction habeas relief in felony cases. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West 2015); *Ex parte Alexander*, 685 S.W.2d 57, 60 (Tex. Crim. App. 1985).

Accordingly, we dismiss Morrison's application for writ of habeas corpus for want of jurisdiction.

Per Curiam

Do not publish.