Texas Courts of Appeals have no original habeas-corpus jurisdiction in a case where the defendant has been certified and transferred to adult court from juvenile court.[In re J.B.H.](17-4-3)

On August 17, 2017, the Houston Court of Appeals (14th Dist.) found that they were without jurisdiction to hear an original habeas-corpus petition because original jurisdiction to grant writs of habeas corpus in criminal cases are vested in the Texas Court of Criminal Appeals, the district courts, the county courts, or a judge in those courts.

¶ 17-4-3. **In re J.B.H**., MEMORANDUM, No. 14-17-00657, 2017 WL 3569626 [Tex.App.—Houston (14th Dist.), 8/17/2017].

**Facts:** The juvenile court waived jurisdiction and transferred relator’s case to the district court. In re J.B.H., No. 14–13–00072–CV, 2013 WL 504106, at \*1 (Tex. App.–Houston [14th Dist.] Feb. 12, 2013, orig. proceeding) (mem. op.). A jury convicted relator of aggravated sexual assault and, after making a deadly weapon finding, sentenced him to life imprisonment, and this court affirmed the conviction. Hines v. State, 38 S.W.3d 805, 807 (Tex. App.–Houston [14th Dist.] 2001, no pet.). Even though relator seeks relief from an order of the juvenile court, he is actually seeking relief from a final, felony conviction. See J.B.H., 2013 WL 504106, at \*1.

On August 10, 2017, relator J.B.H filed a petition for writ of habeas corpus in this court. See Tex. Gov’t Code Ann. § 22.221 (West 2004); see also Tex. R. App. P. 52. In the petition, relator challenges the juvenile court’s order transferring the case to a district court and requests that this court vacate the transfer order, dismiss his conviction, and remand the case to the juvenile court.

**Held:** Petition for Writ of Habeas Corpus Dismissed

**Memorandum Opinion**: The courts of appeals have no original habeas-corpus jurisdiction in criminal matters. In re Ayers, 515 S.W.3d 356, 356 (Tex. App.–Houston [14th Dist.] 2016, orig. proceeding). Original jurisdiction to grant a writ of habeas corpus in a criminal case is vested in the Texas Court of Criminal Appeals, the district courts, the county courts, or a judge in those courts. Tex. Code Crim. Proc. Ann. art. 11.05 (West 2015); Ayers, S.W.3d at 356.

**Conclusion:** This court is without jurisdiction to consider relator’s petition requesting habeas corpus relief. Accordingly, we dismiss relator’s petition for writ of habeas corpus.