

COURT OF APPEALS, TENTH APPELLATE DISTRICT OF TEXAS

In re Thomas Blanchard

No. 10-25-00485-CR · No. 10-25-00485-CR · Decided January 8, 2026

SUMMARY

The Tenth Court of Appeals of Texas dismissed Thomas Blanchard’s original habeas corpus proceeding for want of jurisdiction. The court explained that original jurisdiction over criminal habeas proceedings is limited to the Texas Court of Criminal Appeals, district courts, and county courts, and that Blanchard had not alleged filing a habeas petition in the trial court.

CASE DETAILS

COURT	Court of Appeals, Tenth Appellate District of Texas
WRITING FOR THE COURT	Matt Johnson, Chief Justice; Chief Justice Johnson; Justice Smith; Justice Harris
JURISDICTION	Court of Appeals, Tenth Appellate District of Texas
DECIDED	January 8, 2026
DOCKET	10-25-00485-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original habeas corpus proceeding in the court of appeals seeking direct relief from alleged illegal confinement and unlawful restraint.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Thomas Blanchard v. State of Texas

TOPICS

- habeas corpus
- appellate jurisdiction
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- habeas corpus
- appellate procedure

QUESTIONS PRESENTED

1. Whether the Texas Court of Appeals has original jurisdiction to grant direct habeas corpus relief in a criminal proceeding when the applicant has not first sought relief in the trial court.

HOLDINGS

1. The Texas Court of Appeals lacked jurisdiction over Blanchard's original habeas corpus proceeding because original jurisdiction to issue a writ of habeas corpus in a criminal proceeding is limited to the Texas Court of Criminal Appeals, district courts, and county courts, and Blanchard sought direct relief from the court of appeals.

KEY QUOTATIONS

“Because he is seeking direct relief from this Court, we lack jurisdiction in this proceeding.”

“The petition for writ of habeas corpus filed by Blanchard on December 23, 2025, is dismissed for want of jurisdiction.”

FACTUAL BACKGROUND

Blanchard alleged that he was illegally confined and unlawfully restrained in Brazos County, Texas. He sought an original writ of habeas corpus directly from the court of appeals. The application did not allege that he had first sought habeas relief in the trial court.

PROCEDURAL HISTORY

Thomas Blanchard filed an application for a writ of habeas corpus directly in the Texas Court of Appeals, Tenth Appellate District. He did not allege that he had first filed a habeas petition in the trial court. The court dismissed the petition for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Ex parte Twyman, 716 S.W.2d 951, 952 (Tex. Crim. App. 1986)

OPINION

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-25-00485-CR In re Thomas Blanchard Original Proceeding CHIEF JUSTICE JOHNSON delivered the opinion of the Court. MEMORANDUM OPINION Thomas Blanchard filed an application for a writ of habeas corpus.

The application was filed as an original proceeding in this Court contending that Blanchard is being illegally confined and unlawfully restrained in Brazos County, Texas. Original jurisdiction to issue a writ of habeas corpus in a criminal proceeding is limited to the Texas Court of Criminal Appeals, the district courts, and the county courts. See TEX. CODE CRIM.

PROC. art. 11.05. In the application, Blanchard does not allege that he has filed a petition for a writ of habeas corpus in the trial court from which he is attempting to appeal. Because he is seeking direct relief from this Court, we lack jurisdiction in this proceeding. See *Ex parte Twyman*, 716 S.W.2d 951, 952 (Tex. Crim. App. 1986).

The petition for writ of habeas corpus filed by Blanchard on December 23, 2025, is dismissed for want of jurisdiction. See TEX. R. APP. P. 52.8(a). MATT JOHNSON Chief Justice OPINION DELIVERED and FILED: January 8, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Petition dismissed Do Not Publish OT06 In re Thomas Blanchard Page 2