

COURT OF APPEALS OF TEXAS, TENTH APPELLATE DISTRICT AT WACO

In re Bryan Lacy Swisher

No. 10-26-00066-CR (Tex. App.—Waco Mar. 12, 2026) (mem. op.) · No. 10-26-00066-CR · Decided March 12, 2026

OPINION

In Re Bryan Lacy Swisher v. the State of Texas

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-26-00066-CR In re Bryan Lacy Swisher Original Proceeding JUSTICE SMITH delivered the opinion of the Court.

MEMORANDUM OPINION

Bryan Lacy Swisher, proceeding pro se, filed a document in this Court that we construe as an application for writ of habeas corpus. This document addresses Swisher’s convictions in trial court cause number 2016-774-C1 for the offenses of continuous sexual abuse of a child and indecency with a child. See TEX. CODE CRIM. PROC. ANN. art. 11.07.1 Swisher raises claims of double jeopardy and actual innocence, and argues that the State suppressed evidence in violation of *Brady v. Maryland*, 373 U.S. 83 (1963), and knowingly sponsored perjured testimony. 1We previously affirmed these convictions. See *Swisher v. State*, No. 10-19-00285-CR, 2020 WL 7867281 (Tex. App.—Waco Dec. 30, 2020, pet. ref’d) (mem. op., not designated for publication). Intermediate appellate courts do not have original habeas corpus jurisdiction in criminal law matters. See TEX. GOV’T CODE ANN. § 22.221(d). Jurisdiction to grant a writ of habeas corpus in a criminal case vests with the Court of Criminal Appeals, the district courts, the county courts, or any judge in those courts. See TEX. CODE CRIM. PROC. ANN. art. 11.05; *Ex parte Braswell*, 630 S.W.3d 600, 601-02 (Tex. App.—Waco 2021, orig. proceeding). Accordingly, we dismiss Swisher’s application for writ of habeas corpus for want of jurisdiction.

STEVE SMITH

Justice OPINION DELIVERED and FILED: March 12, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Dismissed Do not publish OT06 In re Bryan Lacy Swisher Page 2