

COURT OF APPEALS OF TEXAS, EIGHTH DISTRICT, EL PASO

In re Jerry-Jacob James Corona

No. 08-25-00334-CR · No. 08-25-00334-CR · Decided December 29, 2025

SUMMARY

The Eighth District Court of Appeals of Texas dismissed Jerry-Jacob James Corona’s petition and amended petition for writ of mandamus for lack of jurisdiction. The court held that Corona’s request effectively sought to reopen his direct appeal and reconsider the court’s prior decision, and explained that post-conviction challenges to a final felony conviction must proceed under the exclusive jurisdiction of the Court of Criminal Appeals.

CASE DETAILS

COURT	Court of Appeals of Texas, Eighth District, El Paso
WRITING FOR THE COURT	Gina M. Palafox; Chief Justice Salas Mendoza; Justice Gina M. Palafox; Justice Soto
JURISDICTION	Court of Appeals of Texas, Eighth District, El Paso
DECIDED	December 29, 2025
DOCKET	08-25-00334-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original mandamus proceeding arising from the court's prior direct-appeal affirmance of Corona's aggravated-assault conviction. Corona sought an order requiring the court to reconsider his motion for rehearing and requiring the State to respond to his motion for reconsideration.
STANDARD OF REVIEW	Mandamus relief requires the relator to show both that he lacks an adequate remedy at law and that the act sought to be compelled is ministerial rather than discretionary or judicial.
PRECEDENTIAL VALUE	published
PARTIES	Jerry-Jacob James Corona, Relator v. The State of Texas

TOPICS

- writ of certiorari
- appellate procedure
- criminal procedure
- post-conviction relief
- state post-conviction relief

PRACTICE AREAS

criminal procedure

appellate procedure

mandamus

post-conviction relief

QUESTIONS PRESENTED

1. Whether the Court of Appeals had jurisdiction to use its mandamus power to reopen Corona's completed direct appeal and reconsider its prior opinion.
2. Whether Corona was entitled to mandamus relief compelling reconsideration of his rehearing motion and requiring the State to respond.
3. Whether the Court of Appeals had jurisdiction over Corona's request for post-conviction relief from his final felony conviction.

HOLDINGS

1. Corona was not entitled to mandamus relief because he sought to compel discretionary or judicial action—reopening the direct appeal and reconsidering the court's prior opinion—rather than a ministerial act, and he did not establish the requirements for mandamus relief.
2. The Court of Appeals lacked jurisdiction under Texas Government Code section 22.221(c)(1)-(2) to grant Corona's requested mandamus relief because his petitions sought to reopen the direct appeal and reconsider the court's prior opinion.
3. The Court of Appeals lacked jurisdiction over matters seeking post-conviction relief from a final felony conviction because Texas Code of Criminal Procedure article 11.07 provides the exclusive means for challenging such a conviction, and jurisdiction lies with the Court of Criminal Appeals.

KEY QUOTATIONS

“To be entitled to mandamus relief, a relator must show that he has no adequate remedy at law to redress his alleged harm, and that what he seeks to compel is a ministerial act, not involving a discretionary or judicial decision.” (2)

“Additionally, only the Court of Criminal Appeals has jurisdiction over matters related to post-conviction relief from a felony conviction.” (2)

FACTUAL BACKGROUND

Corona was convicted of aggravated assault with a deadly weapon and pursued a direct appeal. After the Court of Appeals affirmed, denied rehearing, and denied an unauthorized motion to reconsider, and after the Court of Criminal Appeals refused discretionary review, Corona sought mandamus relief to require reconsideration of his rehearing motion and a response from the State.

PROCEDURAL HISTORY

Corona timely appealed his felony conviction in a separate direct appeal, and the Court of Appeals affirmed the conviction on December 2, 2024. The court denied his motion for rehearing and later denied reconsideration because Texas Rule of Appellate Procedure 49.4 did not authorize the motion. The Court of Criminal Appeals

refused discretionary review on July 2, 2025, and the mandate issued on September 3, 2025. Corona then filed the present petition and amended petition for writ of mandamus, which the court dismissed for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Corona v. State, No. 08-23-00116-CR, 2024 WL 4941322, at *1 (Tex. App.—El Paso Dec. 2, 2024, pet. ref'd) (mem. op.)
- State ex rel. Young v. Sixth Judicial District Court of Appeals at Texarkana, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding)
- Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth District, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (en banc)

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS No. 08-25-00334-CR In re Jerry-Jacob James Corona, Relator AN ORIGINAL PROCEEDING IN MANDAMUS M E M O R A N D U M O P I N I O N Relator Jerry-Jacob James Corona has filed a petition and amended petition for writ of mandamus, seeking a reconsideration of his motion for rehearing filed in his direct appeal. See Tex. Gov't Code Ann. 22.221.

Corona timely appealed his judgment of conviction for aggravated assault with a deadly weapon, which was docketed in this Court under cause number 08-23-00116-CR. On December 2, 2024, we issued an opinion affirming Corona's conviction. Corona v. State, No. 08-23-00116- CR, 2024 WL 4941322, at *1 (Tex. App.—El Paso Dec. 2, 2024, pet. ref'd) (mem. op.). Corona filed a motion for rehearing on December 9, 2024, which he amended on April 28, 2025.

This Court denied rehearing on April 30, 2025. Corona then filed a motion to reconsider. Because none of the limited provisions authorizing such motion applied, we denied reconsideration. See Tex. R. App. P. 49.4 (providing that a further motion for rehearing is limited to situations where the court decides a motion for rehearing that “(a) modifies its judgment; (b) vacates its judgment and renders a new judgment; or (c) issues a different opinion”).

Corona then filed a petition for discretionary review with the Court of Criminal Appeals. The Court refused the petition on July 2, 2025. Our mandate issued on September 3, 2025. Corona now returns to this Court seeking mandamus relief. He requests an order directing that we reconsider

his motion for rehearing filed on April 28, 2025, and to order the State to respond to his motion for reconsideration.

To be entitled to mandamus relief, a relator must show that he has no adequate remedy at law to redress his alleged harm, and that what he seeks to compel is a ministerial act, not involving a discretionary or judicial decision. *State ex rel. Young v. Sixth Judicial Dist. Court of Appeals at Texarkana*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding).

By means of mandamus petition, Corona's request is essentially asking this Court to re-open his direct appeal and for us to reconsider our prior opinion in that proceeding. Neither of Corona's petitions invoke this Court's jurisdiction to exercise our writ power in this scenario. See Tex. Gov't Code Ann. § 22.221(c)(1)–(2). Additionally, only the Court of Criminal Appeals has jurisdiction over matters related to post-conviction relief from a felony conviction.

See Tex. Code Crim. Proc. Ann. art. 11.07 (governing post-conviction writs of habeas corpus); *Board of Pardons & Paroles ex rel. Keene v. Court of Appeals for Eighth Dist.*, 910 S.W.2d 481, 483 (Tex. Crim. App. 1995) (en banc) (holding that Article 11.07 provides the exclusive means to challenge a final felony conviction). 2 We dismiss both Corona's petition for writ of mandamus and his amended petition for lack of jurisdiction.

GINA M. PALAFOX, Justice December 29, 2025 Before Salas Mendoza, C.J., Palafox and Soto, JJ. 3