



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,324-01

EX PARTE MILYN ALEAHA PIERCE, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 14-05-05273-CR IN THE 9TH DISTRICT COURT
FROM MONTGOMERY COUNTY**

Per curiam.

OPINION

Pursuant to the provisions of Article 11.07 of the Texas Code of Criminal Procedure, the clerk of the trial court transmitted to this Court this application for a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of possession of a controlled substance and sentenced to six months' imprisonment. She did not appeal her conviction.

Applicant contends that newly discovered laboratory analysis in this case reflects that she did not possess a controlled substance.

Applicant's claim is supported by the habeas record. Applicant is entitled to relief. *Ex parte Mable*, ___ S.W.3d ___, No. WR-81,358-01(Tex. Crim. App. delivered September 17, 2014).

Relief is granted. The judgment in Cause No. 14-05-05273-CR in the 9th District Court of Montgomery County is set aside, and Applicant is remanded to the custody of the Sheriff of Montgomery County to answer the charges as set out in the indictment. The trial court shall issue any necessary bench warrant within 10 days after the mandate of this Court issues.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice—Correctional Institutions Division and Pardons and Paroles Division.

Delivered: November 26, 2014
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