



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,433-01

EX PARTE DONALD CHASE STIERS, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1437033-A IN THE 176TH DISTRICT COURT
FROM HARRIS 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 two years' imprisonment. He did not appeal his conviction.

Applicant contends, among other things, that his guilty plea was involuntary. The trial court agreed and recommended that we set aside Applicant's conviction. We agree that his guilty plea was involuntary, *Ex parte Mable*, No. WR-81,358-01, ___ S.W.3d ___ (Tex. Crim. App. Sept. 17, 2014), but we decline to adopt conclusion of law number eight.

Relief is granted. The judgment in cause number 1437033-A in the 176th District Court of Harris County is set aside, and Applicant is remanded to the custody of the Sheriff of Harris 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: December 10, 2014

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