



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-82,945-01**

**EX PARTE ADAM ADEL HAYEK, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 08-1623-K26A IN THE 26TH DISTRICT COURT  
FROM WILLIAMSON 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 marihuana and sentenced to ten years' imprisonment. He did not appeal his conviction.

Applicant contends that his guilty plea was involuntary. The State agrees that Applicant is entitled to relief, and the trial court has entered findings of fact and conclusions of law recommending that relief be granted. This Court has made an independent review of the record and holds that Applicant's guilty plea was not voluntary. *Brady v. United States*, 397 U.S. 742, 748

(1970); *Ex parte Burton*, 623 S.W.2d 418, 419 (Tex. Crim. App. 1981); TEX. CODE CRIM. PROC. art. 26.13(b).

Relief is granted. The judgment in Cause No. 08-1623-K26 in the 26th District Court of Williamson County is set aside, and Applicant is remanded to the custody of the Sheriff of Williamson 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: April 22, 2015  
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