



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-83,982-01; WR-83,982-02; WR-83,982-03; WR-83,982-04

**EX PARTE MARQUIS OBRIAN WHITE, Applicant**

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS  
CAUSE NOS. F12-71367-U; F12-57100-U; F12-56960-U; F12-71366-U  
IN THE 291<sup>ST</sup> DISTRICT COURT FROM DALLAS 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 these applications for writs of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of sexual assault of a child in two cause numbers and aggravated sexual assault of a child in two cause numbers. He was sentenced to life imprisonment in each cause. The Fifth Court of Appeals affirmed his convictions. *White v. State*, Nos. 05-13-00264-CR; 05-13-00262-CR; 05-13-00261-CR; 05-13-00263-CR (Tex. App.—Dallas Jan. 7, 2015).

Applicant contends that his appellate counsel rendered ineffective assistance because counsel

failed to timely notify Applicant that his convictions had been affirmed. Appellate counsel filed this application with the trial court. Based on counsel's sworn allegations, the trial court has entered findings of fact and conclusions of law that appellate counsel failed to timely notify Applicant that his conviction had been affirmed. The trial court recommends that relief be granted. *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App. 1997).

We find, therefore, that Applicant is entitled to the opportunity to file out-of-time petitions for discretionary review of the judgments of the Fifth Court of Appeals in Cause Nos. 05-13-00264-CR; 05-13-00262-CR; 05-13-00261-CR; 05-13-00263-CR that affirmed his convictions in Cause Nos. F12-71367-U; F12-57100-U; F12-56960-U; F12-71366-U from the 291<sup>st</sup> District Court of Dallas County. Applicant shall file his petitions for discretionary review with this Court within 30 days of the date on which this Court's mandate issues.

Delivered: November 4, 2015  
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