



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-29,889-04**

**EX PARTE DARRYL DEMITRI ADAMS, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. W92-67691-MN(C) IN THE 195th 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 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 aggravated sexual assault and sentenced to twenty-five years' imprisonment. He did not appeal his conviction.

Applicant contends that his conviction should be vacated pursuant to Article 11.073 of the Code of Criminal Procedure based on newly available DNA evidence which shows he has been excluded as both the major and minor donor to the profiles detected. The trial court, based upon the record, recommends relief be granted. We agree. *See Ex parte Robbins*, WR-73,484-02, \_\_\_ S.W.3d\_\_\_ (Tex. Crim. App. Nov. 26, 2014).

Relief is granted. The judgment in Cause No. F92-67691-MN in the 195th District Court of Dallas County is set aside, and Applicant is remanded to the custody of the Sheriff of Dallas 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: March 23, 2016  
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