



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-86,397-01 AND WR-86,397-02

EX PARTE ALDOLFO MOYA SALAZAR JR., Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. W10-63048-I(A) AND W10-63151-I(A) IN THE CRIMINAL DISTRICT
COURT NO. 2 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 burglary of a habitation and aggravated robbery and sentenced to imprisonment. The Fifth Court of Appeals affirmed the convictions. *Salazar v. State*, Nos. 05-12-01228-CR; 05-12-01229-CR (Tex. App.—Dallas Jul. 15, 2013) (not designated for publication).

Applicant contends that he was denied his right, through no fault of his own, to pursue a *pro se* petition for discretionary review in this Court after his convictions were affirmed by the Fifth Court of Appeals. The trial court, with the State's agreement, recommends that relief be granted, and the habeas record supports the recommendation. *See Ex parte Wilson*, 956 S.W.2d 25, 26 -27 (Tex.

Crim. App. 1997); *Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2006); *Ex parte Crow*, 180 S.W.3d 135, 138-39 (Tex. Crim. App. 2005).

Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Fifth Court of Appeals in Cause Nos. 05-12-01228-CR and 05-12-01229-CR that affirmed his convictions in Cause Nos. F-1063048-I and F-1063151-I from the Criminal District Court No. 2 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.

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

Delivered: March 22, 2017
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