



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-89,640-01

EX PARTE KETHAN ANDRE PEOPLES, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. W380-81233-2014-HC IN THE 380TH DISTRICT COURT
FROM COLLIN 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 kidnapping and sentenced to forty years' imprisonment. The Fifth Court of Appeals affirmed his conviction. *Peoples v. State*, No. 05-15-00097-CR (Tex. App.—Dallas del. Jan. 27, 2016).

Applicant contends that he was denied his right to seek a *pro se* petition for discretionary review through no fault of his own. *Ex parte Wilson*, 956 S.W.2d 25, 26 -27 (Tex. Crim. App. 1997). The trial court, with the State's agreement, recommends granting a late petition for discretionary review. The trial court's findings and recommendation are supported by the record.

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 No. 05-15-00097-CR that affirmed his conviction in Cause No. 380-81233-2014 from the 380th District Court of Collin County. Applicant shall file his petition for discretionary review with this Court within 30 days of the date on which this Court's mandate issues.

Delivered: December 18, 2019

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