



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-89,533-01

**EX PARTE ANNIE KAUNDA, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 04-1044-K368A IN THE 368<sup>TH</sup> DISTRICT COURT  
FROM WILLIAMSON COUNTY**

*Per curiam.*

### OPINION

Applicant pleaded guilty to tampering with a governmental record and was sentenced to six months imprisonment in state jail. Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends that her plea was involuntary because she was not aware of possible defenses she had to the charges. Based on the record, the trial court credited Applicant's representations that her plea was involuntary. The State agrees that Applicant is entitled to relief.

Relief is granted. *Hill v. Lockhart*, 474 U.S. 52 (1985); *Ex parte Argent*, 393 S.W.3d 781 (Tex. Crim. App. 2013). The judgment in cause number 04-1044-K368 in the 368<sup>th</sup> 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 ten days from the date of this Court's mandate.

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

Delivered: March 11, 2020  
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