



# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-92,969-01**

**EX PARTE D'AUNDRE RAASHAWN HIGHT-EALY, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 12940-D(1) IN THE 350TH DISTRICT COURT  
FROM TAYLOR COUNTY**

*Per curiam.*

## OPINION

Applicant was convicted of aggravated robbery and sentenced to forty years' imprisonment. He 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 he was denied his right to an appeal because counsel failed to timely file a notice of appeal. Based on the record, the trial court recommends that Applicant be given an out-of-time appeal.

Relief is granted. *Ex parte Axel*, 757 S.W.2d 369 (Tex. Crim. App. 1988); *Jones v. State*, 98 S.W.3d 700 (Tex. Crim. App. 2003). Applicant may file an out-of-time appeal of his conviction in cause number 12940-D from the 350th District Court of Taylor County. Within ten days from the

