



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-47,915-04**

**EX PARTE RICHARD CHARLES FININEN, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 2015F00270A IN THE 5<sup>TH</sup> DISTRICT COURT  
FROM CASS COUNTY**

*Per curiam.*

### OPINION

Applicant was convicted of bail jumping and failure to appear and sentenced to forty years' imprisonment. The Sixth Court of Appeals affirmed his conviction. *Fininen v. State*, No. 06-16-00039-CR (Tex. App.—Texarkana Oct. 27, 2016)(not designated for publication). 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 appellate counsel failed to timely inform Applicant that conviction had been affirmed. Based on the record, the trial court has determined that Applicant was not informed of the appellate court's decision and that Applicant would have timely filed a petition for discretionary review but for his lack of notice.

Relief is granted. *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App. 1997); *Ex parte Crow*, 180 S.W.3d 135 (Tex. Crim. App. 2005). Applicant may file an out-of-time petition for discretionary review of the judgment of the Court of Appeals in cause number. Should Applicant decide to file a petition for discretionary review, he must file it with this Court within thirty 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: May 18, 2022

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