



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-90,999-02, WR-90,999-03 & WR-90,999-04

EX PARTE AMANDA DARLENE PIXLEY, Applicant

**ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. 22,617-A, 22,618-A & 22,619-A
IN THE 258TH DISTRICT COURT FROM POLK COUNTY**

Per curiam. YEARY, J. dissented.

OPINION

Applicant pled nolo contendere to three charges of sexual assault of a child and, after a contested punishment hearing, was sentenced to twenty years' imprisonment in each case, to be served consecutively. The Ninth Court of Appeals affirmed her convictions. *Pixley v. State*, Nos. 09-15-00522-CR, 09-15-00523-CR & 09-15-00524-CR (Tex. App.—Beaumont Sep. 20, 2017) (not designated for publication). Applicant filed these applications for writs of habeas corpus in the county of conviction, and the district clerk forwarded them to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends that her pleas were involuntary based on multiple claims of ineffective assistance of counsel. Based on the record, the trial court has determined that Applicant's pleas were

involuntary based on counsel's performance.

We agree. Relief is granted. *Strickland v. Washington*, 466 U.S. 668, 687, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984); *Brady v. United States*, 397 U.S. 742 (1970). The judgments in cause numbers 22,617-A, 22,618-A and 22,619-A in the 258th District Court of Polk County are set aside, and Applicant is remanded to the custody of the Sheriff of Polk County to answer the charges as set out in the indictments. 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: January 24, 2024
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