



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. AP-76,777

**EX PARTE RICHARD RAY MILES, JR., Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. F-9451624-IS IN THE 282ND DISTRICT COURT  
FROM DALLAS COUNTY**

*Per curiam.* PRICE, J., not participating.

### O P I N I O N

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 placed on deferred adjudication probation for five years and was later adjudicated guilty and sentenced to twenty years' imprisonment. He did not appeal his conviction.

Applicant contends that his adjudication of guilt was based on convictions that are no longer valid. The trial court found that Applicant's adjudication was predicated on murder and attempted murder convictions and that without those convictions Applicant would not have been adjudicated

guilty. The trial court recommended we grant Applicant a new adjudication hearing. Having set aside Applicant's murder and attempted murder convictions, *Ex parte Miles*, Nos. AP-76,488 & AP-76,489 (Tex. Crim. App. Feb. 15, 2012), we agree. Relief is granted. The judgment adjudicating Applicant guilty in cause number in F-9451624-IS in the 282nd District Court of Dallas County is set aside, and Applicant is remanded to the custody of the Sheriff of Dallas County to answer the State's motion to adjudicate. The trial court shall issue any necessary bench warrant within 10 days after the mandate of this Court issues.

Delivered: April 25, 2012  
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