



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. AP-76,787

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**EX PARTE BRANDON CORONADO, Applicant**

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**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 02-CR-1289-D IN THE 105<sup>TH</sup> DISTRICT COURT  
FROM NUECES COUNTY**

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*Per curiam.*

### OPINION

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 writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of two counts of aggravated sexual assault and after a period of deferred adjudication, was sentenced to sixty years' imprisonment.

Applicant contends that the trial judge violated his due process rights by predetermining his sentence. After conducting a live hearing, the trial court finds that the trial judge did not properly consider the full range of punishment before determining his sentence. *Ex parte Brown*, 158 S.W.3d

449 (Tex. Crim. App. 2005).

Relief is granted. The sentence in Cause No. 02-CR-1289-D in the 105<sup>th</sup> Judicial District Court of Nueces County is set aside, and Applicant is remanded to the custody of the sheriff of Nueces County for a new sentencing hearing. The trial court shall issue any necessary bench warrant within 10 days after the mandate of this Court issues.

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

Delivered: May 2, 2012  
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