



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. AP-76,879

EX PARTE HERMAN JACKSON, JR., Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 912448 IN THE 228TH DISTRICT COURT
FROM HARRIS COUNTY**

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 a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of murder and sentenced to eighteen years' imprisonment. He did not appeal his conviction.

Applicant contends that counsel rendered his plea involuntary. On February 8, 2012, we remanded this application for further findings of fact and conclusions of law. On remand, the trial court found that although counsel who could have potentially represented Applicant denied doing so, counsel's deficient conduct rendered Applicant's plea involuntary. The trial court recommended that we grant relief. Relief is granted. The judgment in cause number 912448 in the 228th District

Court of Harris County is set aside, and Applicant is remanded to the custody of the Sheriff of Harris County to answer the charges as set out in the indictment. 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: September 12, 2012

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