



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-46,870-03

EX PARTE LEON THOMAS BURNETT, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 44614 IN THE 23RD DISTRICT COURT
FROM BRAZORIA COUNTY**

Per curiam.

ORDER

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 possession of a deadly weapon in a penal institution and sentenced to three years' imprisonment. His sentence was ordered to run consecutively with his sentence for aggravated assault in cause number 530001. He did not appeal his conviction.

Applicant contends that his sentence in cause number 530001 has discharged, the procedures for determining parole eligibility at the Texas Department of Criminal Justice violate his due process rights, and he should have been credited with 7 months and 29 days of pre-sentence time.

After reviewing the record, we conclude that Applicant's first and second grounds are without merit. They are denied. His third ground is dismissed. *Ex parte Ybarra*, 149 S.W.3d 147 (Tex. Crim. App. 2004); *Ex parte Deeringer*, 210 S.W.3d 616 (Tex. Crim. App. 2006). Accordingly, this application is denied in part and dismissed in part.

Filed: September 19, 2012

Do not publish