IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-76,141-01

EX PARTE ADAM BRANDON CREWS, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 22574-A IN THE 336TH DISTRICT COURT
FROM FANNIN COUNTY

Per curiam.

O R D E R

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 aggravated kidnapping and sentenced to fifteen years' imprisonment. The Sixth Court of Appeals affirmed his conviction. *Crews v. State*, No. 06-09-00080-CR (Tex. App.—Texarkana 2009, pet. ref'd).

Applicant contends that trial counsel rendered ineffective assistance because he failed, among other things, to object during the guilt stage of trial to the admission of a videotaped interview containing extraneous offense evidence and to comments on the complainant's and Applicant's credibility. After holding a live evidentiary hearing, the trial court made findings of fact and

conclusions of law and recommended that we deny relief. We order that this application be filed and set for submission to determine whether counsel's conduct was deficient and Applicant was prejudiced. *Strickland v. Washington*, 466 U.S. 668 (1984). The parties shall brief these issues.

It appears that Applicant is represented by counsel. If he is not, the trial court shall determine whether he is indigent. If he is indigent and desires to be represented by counsel, the trial court shall appoint an attorney to represent him. TEX. CODE CRIM. PROC. art 26.04. The trial court shall send to this Court, within 60 days of the date of this order, a supplemental transcript containing: a confirmation that Applicant is represented by counsel; the order appointing counsel; or a statement that Applicant is not indigent. All briefs shall be filed with this Court within 90 days of the date of this order.

Filed: September 11, 2013
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