



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-76,780-01

EX PARTE MICHAEL WILLIAM GODFREY, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 912345 IN THE 228TH DISTRICT COURT
FROM HARRIS 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 aggravated sexual assault and sentenced to fifteen years' imprisonment. He did not appeal his conviction.

Applicant contends that trial counsel rendered ineffective assistance and the State relied on misleading testimony. After hearing argument from the parties, the trial court made findings of fact and conclusions of law and recommended that we deny relief. We agree with the trial court's recommendation but decline to adopt its finding that Applicant's claim regarding misleading

testimony is procedurally barred. Relief is denied.

Filed: January 25, 2012

Do not publish