

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

	§	No. 08-11-00135-CR
	§	
EX PARTE: FERNANDO MORALES	§	Appeal from
	§	65th District Court
	§	of El Paso County, Texas
	§	(TC # 12,732)

**OPINION**

Fernando Morales, pro se, is appealing from the trial court's denial of his application for habeas corpus relief. Appellant has not filed a brief. The court previously denied Appellant's motion for appointment of counsel to assist him with this appeal because a post-conviction habeas corpus applicant is not constitutionally entitled to the appointment of counsel. *Ex parte Graves*, 70 S.W.3d 103, 111 (Tex.Crim.App. 2002); TEX.CODE CRIM.PROC.ANN. art. 1.051(d) (West 2005). The Court granted Appellant three extensions of time in which to file his brief, but he did not file a brief in the time by the due date. On November 8, 2011, we notified Appellant that the appeal would be submitted without briefs pursuant to TEX.R.APP.P. 38.8(b)(4). In the interest of justice, we have reviewed the entire record for unassigned fundamental error. See TEX.R.APP.P. 38.8(b)(4); *Lott v. State*, 874 S.W.2d 687, 688 (Tex.Crim.App. 1994). Having found no unassigned fundamental error, we affirm the judgment of the trial court.

July 25, 2012

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ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rivera, and Antcliff, JJ.

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