



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-66,933-02

**EX PARTE GARY WAYNE STRICKLAND, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 07833 IN THE 354TH DISTRICT COURT  
FROM HUNT 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 assault and sentenced to twelve years' imprisonment. The Sixth Court of Appeals affirmed his conviction. *Strickland v. Texas*, No. 06-04-00063-CR (Tex. App.—Texarkana 2005, pet. ref'd).

This is a subsequent application for a writ of habeas corpus. TEX. CODE CRIM. PROC. art. 11.07, § 4. Applicant contends that he is actually innocent, trial and appellate counsel rendered ineffective assistance, his parole file contains false information, evidence was not tested, and the

evidence is insufficient. Applicant does not demonstrate that the factual or legal bases of his claims were previously unavailable. Nor does he make a prima facie case of actual innocence. Accordingly, these claims are dismissed under § 4. Applicant also contends that he was the victim in a prison disciplinary case. This claim is denied. *Ex parte Brager*, 704 S.W.2d 46 (Tex. Crim. App. 1986). This application is dismissed in part and denied in part.

Filed: April 30, 2014  
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