



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-79,485-01

EX PARTE ANTHONY DEWAYNE CORNELIUS, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 22,027-A IN THE 411TH DISTRICT COURT
FROM POLK 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 two counts of aggravated sexual assault of a child and four counts of sexual assault of a child. He was sentenced to twenty-five years in prison for each aggravated-sexual-assault conviction and twenty years in prison for each of the remaining sexual-assault convictions. The sentences are to be served concurrently, and there was no direct appeal.

In his habeas application, Applicant claimed that his guilty pleas were involuntary for many reasons. The plea agreement was not in the habeas record forwarded to this Court, and there was no affidavit from trial counsel responding to the claims, so the application was remanded to the trial

court for further information. On remand, the trial court received an affidavit from trial counsel, conducted an evidentiary hearing in which Applicant was represented by habeas counsel, and heard argument from the parties. Findings were made and forwarded to this Court in a supplemental habeas record, but trial counsel's affidavit and the hearing transcription upon which the findings are based are not in the supplement. The plea agreement is also not in the habeas record.

The trial court shall supplement the habeas record to this Court with the affidavit it received from trial counsel, a transcription of the hearing conducted on remand, which occurred, according to the findings, on February 18, 2014, and a copy of any plea agreement made in connection with the guilty pleas. This application will be held in abeyance until the habeas record is supplemented as ordered, which shall be completed within 30 days of the date of this order. Any extensions of time shall be obtained from this Court.

Filed: May 7, 2014
Do not publish