



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-81,549-01

EX PARTE LYNDON ANDERSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 11F0921-102 IN THE 102ND DISTRICT COURT
FROM BOWIE COUNTY**

Per curiam.

O P I N I O N

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 robbery and sentenced to sixty years' imprisonment.

Applicant contends that he was deprived his right to file an appeal. The trial court has signed findings of fact stating that Applicant was unable to timely file an appeal and recommends Applicant be allowed to proceed with an out-of-time appeal.

The trial court has recommended that Applicant be granted relief. We find, therefore, that Applicant is entitled to the opportunity to file an out-of-time appeal of the judgment of conviction in Cause No. 11F0921-102 from the 102nd Judicial District Court of Bowie County. Applicant is ordered returned to that time at which he may give a written notice of appeal so that he may then, with the aid of counsel, obtain a meaningful appeal. All time limits shall be calculated as if the sentence had been imposed on the date on which the mandate of this Court issues. We hold that, should Applicant desire to prosecute an appeal, he must take affirmative steps to file a written notice of appeal in the trial court within 30 days after the mandate of this Court issues.

Delivered: July 23, 2014
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