



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-81,823-01

EX PARTE CHAD E. JOHNSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 139837401010
IN THE 177TH DISTRICT COURT FROM HARRIS 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 writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant pleaded guilty and was convicted of possession of a controlled substance between one and four grams, and sentenced to four years' imprisonment. He did not appeal his conviction.

After Applicant pleaded guilty and was sentenced, the laboratory report from the Houston Forensic Science Center revealed that the evidence in this case weighed less than one gram. Applicant is entitled to relief. *State v. Wilson*, 324 S.W.3d 595, 598 (Tex. Crim. App. 2010).

Relief is granted. The judgment in Cause No. 139837401010 in the 177th Judicial District Court of Harris County is set aside, and Applicant is remanded to the Harris County Sheriff to answer the charge against him. The trial court shall issue any necessary bench warrant within 10 days after the mandate of this Court issues.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice—Correctional Institutions Division and Pardons and Paroles Division.

Delivered: September 17, 2014
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