



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,030-01

EX PARTE PHILLIP HOLMES, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1424734-A IN THE 180TH DISTRICT COURT
FROM HARRIS COUNTY

Per curiam.

OPINION

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 possession of cocaine and was sentenced to one hundred eighty days' imprisonment in a state jail. He did not appeal his conviction.

Applicant contends that newly discovered laboratory analysis in this case reflects that he did not possess any cocaine.

Applicant's claim is supported by the habeas record. Applicant is entitled to relief. *Ex parte*

Mable, ___ S.W.3d ___, No. WR-81,358-01(Tex. Crim. App. Sept. 17, 2014).

Relief is granted. The judgment in Cause No. 1424734 in the 180th District Court of Harris County is set aside, and Applicant is remanded to the custody of the Sheriff of Harris County to answer the charges as set out in the indictment. 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: December 17, 2014

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