



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,306-01

EX PARTE CHRISTOPHER TYRONE LUCAS, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1424295-A IN THE 209th 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 methylenedioxy methamphetamine in an amount less than one gram and sentenced to one hundred eighty days in state jail. He did not appeal his conviction.

Applicant contends that his plea in this case was involuntary because newly discovered evidence in this case shows that he did not possess methylenedioxy methamphetamine.

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

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

Relief is granted. The judgment in Cause No. 1424295-A in the 209th 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: November 19, 2014

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