



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,834-01

EX PARTE LEONARD STRICKLAND, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 20080D05040 IN THE 171ST DISTRICT COURT
FROM EL PASO 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). After a period of deferred adjudication, Applicant was convicted of one count of aggravated robbery and one count of robbery. He was sentenced to seven and a half years' imprisonment for each count. He did not appeal his convictions.

Applicant's writ application alleges that his convictions violate double jeopardy because he is being twice punished for the same criminal act. This Court remanded the case for further development of the probable double jeopardy issue.

The trial court has determined Applicant's conviction for robbery is based on the same actions and same victim as his conviction for aggravated robbery and therefore violates double jeopardy. We agree that Applicant has suffered multiple punishments for the same offense. *Ex parte Cavazos*, 203 S.W.3d 333, 337 (Tex. Crim. App. 2007). Relief is granted. The judgment in count two of Cause No. 20080D05040 in the 171st District Court of El Paso County is vacated and set aside. All remaining issues are denied.

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

Delivered: September 16, 2015
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