



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-82,858-01

EX PARTE WILLIE DOSS, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 29,865
IN THE 354TH DISTRICT COURT FROM HUNT 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 one count of intoxication assault and one count of aggravated assault with a deadly weapon. He was sentenced to a term of twenty years' imprisonment on the intoxication assault and thirty-two years' imprisonment on the aggravated assault. He did not appeal his convictions.

Applicant's writ application raised ineffective assistance of counsel and double jeopardy. The trial court has determined Applicant's conviction for aggravated assault is based on the same

actions and same victim as his conviction for intoxication assault 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 one, intoxication assault, of Cause No. 29,865 in the 354th District Court of Hunt 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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