



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-83,166-01

EX PARTE HARRY JOSEPH COHEN, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1415350-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 forgery and sentenced to twelve months imprisonment. He did not appeal his conviction.

Applicant contends, and the trial court finds, the State notified Applicant of potentially exculpatory information regarding the complainant in this case after Applicant had been convicted. The trial court also concludes this evidence was impeachment evidence that was material, and it could have made the difference between conviction and acquittal, and the trial court recommends this Court grant relief pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963).

Relief is granted. The judgment in Cause No. 1415350 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: September 16, 2015
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