



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-81,819-01; WR-81,819-02; WR-81,819-03

EX PARTE BRYAN C. DUDLEY, Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. 1309281-A; 1309282-A; 1309283-A
IN THE 230TH DISTRICT COURT FROM HARRIS COUNTY

Per curiam. Yeary, J. filed a dissenting opinion.

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 these applications for writs of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant pleaded guilty to online solicitation of a minor in these cause numbers and was sentenced to five years' imprisonment for each cause. He did not appeal his convictions.

This Court, in *Ex parte Lo*, held unconstitutional the online solicitation of a minor statute for which Applicant was convicted. *Ex parte Lo*, 424 S.W.3d 10 (Tex. Crim. App. 2013). Applicant, through counsel, filed this habeas application based on the *Lo* decision and asks that his convictions

be set aside. The State recommends that relief be granted in this cause. We agree.

Relief is granted. The judgments in Cause Nos. 1309281, 1309282, and 1309283 in the 230th District Court of Harris County are 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 so that the indictment may be disposed of in accordance with this Court's opinion in *Ex parte Lo*. 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: February 10, 2016
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