



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-81,919-01

EX PARTE RICKY LOCKRIDGE, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 09-01048-CRF-272 IN THE 272ND DISTRICT COURT
FROM BRAZOS 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 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 two counts of online solicitation of a minor and he was sentenced to six years' imprisonment on each count, to run concurrently. He did not appeal his conviction.

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 filed this habeas application based on the *Lo* decision and asks that both counts of his conviction be

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

Relief is granted. The judgment in Cause No. 09-01048-CRF-272, in the 272nd District Court of Brazos County is set aside and Applicant is remanded to the custody of the Sheriff of Brazos 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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