



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-84,219-01

EX PARTE TRAMAIN SAMPSON, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1185990-A IN THE 228TH 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 delivery of a controlled substance and sentenced to twenty-seven years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Sampson v. State*, No. 14-09-991-CR (Tex. App.—Houston [14th] Jan. 25, 2011).

Applicant contends that he never received notice from his counsel regarding the appellate court's decision in his direct appeal. Appellate counsel filed an affidavit with the trial court stating that she timely sent a notice to Applicant at the Coffield Unit which was signed for by their mail

room on February 8, 2011. Applicant responds that he was never housed at the Coffield Unit and therefore never received counsel's letter. We remanded this application to the trial court for findings of fact and conclusions of law.

Records from the Texas Department of Criminal Justice (TDCJ) show that Applicant was never housed on the Coffield Unit, where counsel sent the notification, and that he did not receive any legal mail during the time frame in question where he was housed.

We find, therefore, that Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Court of Appeals in Cause No. 14-09-991-CR that affirmed conviction in Cause No. 1185990 from the 228th District Court of Harris County. Applicant shall file petition for discretionary review with this Court within 30 days of the date on which this Court's mandate issues.

Delivered: July 27, 2016
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