



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-84,360-01**

**EX PARTE ROBERT SORIA, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. W-61382-01-E IN THE 108TH DISTRICT COURT  
FROM POTTER 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 evading arrest and sentenced to thirty years' imprisonment. He did not appeal his conviction.

Applicant contends, among other things, that his sentence is illegal. The trial court made findings of fact and conclusions of law, determined that Applicant's sentence is illegal, and recommended that we set aside his sentence.

We agree but shall set aside the judgment of conviction. Relief is granted. The judgment

of conviction in cause number 61,382-E in the 108th District Court of Potter County is set aside, and Applicant is remanded to the custody of the Sheriff of Potter 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 28, 2016  
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