



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-84,533-02

EX PARTE ANTOINE DEVON CROW, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. W15-75034-P (B) IN THE 203rd DISTRICT COURT
FROM DALLAS 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 felony assault family violence and sentenced to ten years' imprisonment. The Fifth Court of Appeals dismissed his appeal for want of jurisdiction. *Crow v. State*, No. 05-15-01172-CR (Tex. App.—Dallas Oct. 5, 2015) (not designated for publication).

Applicant contends, *inter alia*, that his plea was involuntary because it was entered under the mistaken belief that he would be eligible for shock probation.

Based on the record in this case, the trial court determined Applicant was misinformed that he would be eligible for shock probation and his plea of guilty was unknowing and involuntary in this case.¹ Applicant is entitled to relief. *Ex parte Mable*, 443 S.W.3d 129 (Tex. Crim. App. 2014).

Relief is granted. The judgment in Cause No. F15-75034-P in the 203rd District Court of Dallas County is set aside, and Applicant is remanded to the custody of the Sheriff of Dallas 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: June 15, 2016
Do not publish

¹ It is apparent from the record that everyone involved thought Applicant was eligible for shock probation until he was bench warranted back to Dallas County, and the trial court was then informed Applicant was not eligible pursuant to TEX. CODE CRIM. PROC. art. 42.12, § 6(a)(2).