



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-85,058-01**

**EX PARTE CHAD WAYNE TILLER, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 15-08-08855-CR (1) IN THE 410TH DISTRICT COURT  
FROM MONTGOMERY 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 possession of a controlled substance and sentenced to three years' imprisonment. He did not appeal his conviction.

Applicant contends that newly discovered laboratory analysis in this case reflects that he did not possess any controlled substance. Applicant's claim is supported by the habeas record, and the State and the trial court agree that Applicant is entitled to habeas relief. *See Ex parte Mable*, 443 S.W.3d 129 (Tex. Crim. App. 2014).

Relief is granted. The judgment in Cause No. 15-08-08855-CR in the 410th District Court of Montgomery County is set aside, and Applicant is remanded to the custody of the Sheriff of Montgomery 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: July 27, 2016

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