



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-85,155-01**

**EX PARTE ESAU DEWAYNE RODGERS, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 1151071-A IN THE 337TH 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 pleaded guilty to possession of cocaine and was sentenced to six months' imprisonment. He did not appeal his conviction.

Applicant contends, among other things, that his plea was involuntary because the substance he possessed contained no illicit materials. The trial court made findings of fact and conclusions of law and recommended that we grant relief.

We agree. Relief is granted. *Ex parte Mable*, 443 S.W.3d 129 (Tex. Crim. App. 2014). The

judgment in cause number 1151071 in the 337th District Court of Harris County is set aside, and, if in custody, Applicant is remanded to the custody of the Sheriff of Harris County to answer the charges as set out in the information. 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  
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