



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-79,680-02

EX PARTE JESSIE JEROME WHITE, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 17671-B(1) IN THE 329TH DISTRICT COURT
FROM WHARTON 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 or detention with a motor vehicle and sentenced to twenty years' imprisonment. The Thirteenth Court of Appeals affirmed the conviction. *White v. State*, No. 13-12-00174-CR (Tex. App.—Corpus Christi Apr. 25, 2013) (not designated for publication).

Applicant, through habeas counsel, claims that his guilty plea was involuntary and that the resulting sentence is unlawful. *See Strickland v. Washington*, 466 U.S. 668 (1984); *Ex parte Morrow*,

952 S.W.2d 530 (Tex. Crim. App. 1997); *Ex parte Rich*, 194 S.W.3d 508 (Tex. Crim. App. 2006).

The trial court, with the State's agreement, finds that Applicant is entitled to habeas relief. The habeas record supports the findings and recommendation.

Relief is granted. The twenty year sentence assessed in Cause No. 17671 in the 329th District Court of Wharton County is vacated, and Applicant is remanded to the custody of the Sheriff of Wharton County so that the trial court may conduct a new punishment hearing. 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: January 11, 2017
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