



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-86,248-01

EX PARTE LEONARD DARNELL WILLIAMS, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. W12-63911-I(A) IN THE CRIMINAL DISTRICT COURT NO. 2
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 aggravated sexual assault of a disabled person and sentenced to thirty-three years' imprisonment. The Fifth Court of Appeals affirmed the conviction. *Williams v. State*, No. 05-15-01212-CR (Tex. App.—Dallas Jun. 20, 2016) (not designated for publication).

Applicant contends that he was denied his right, through no fault of his own, to pursue a *pro se* petition for discretionary review in this Court after his conviction was affirmed by the Fifth Court of Appeals. The trial court, with the State's agreement, recommends that relief be granted, and the habeas record supports the recommendation. *See Ex parte Wilson*, 956 S.W.2d 25, 26-27 (Tex. Crim.

App. 1997); *Ex parte Crow*, 180 S.W.3d 135, 138-39 (Tex. Crim. App. 2005).

Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Fifth Court of Appeals in Cause No. 05-15-01212-CR that affirmed his conviction in Cause No. F-1263911-I from the Criminal District Court No. 2 of Dallas County. Applicant shall file his petition for discretionary review with this Court within 30 days of the date on which this Court's mandate issues.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice-Correctional Institutions Division and Pardons and Paroles Division.

Delivered: February 1, 2017
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