



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-86,450-01

EX PARTE CLEVELAND RANDY ROBINSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 15-03869-CRF-272-A IN THE 272ND DISTRICT COURT
FROM BRAZOS 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 failure to comply with sex offender registration, and was sentenced to three years' imprisonment. He did not appeal his conviction.

Applicant contends that his plea was involuntary because the offense to which he pleaded guilty was a state jail felony, and his three-year sentence is therefore unauthorized. The State agrees that Applicant is entitled to relief, and the trial court has entered findings of fact and conclusions of

law, recommending that relief be granted.

Relief is granted. The judgment in Cause No. 15-03869-CRF-272 in the 272nd District Court of Brazos County is set aside, and Applicant is remanded to the custody of the Sheriff of Brazos 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: March 8, 2017
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