



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-87,604-01**

**EX PARTE SONNY JOE ROBESON, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. D-09-0946-SB-W-1 IN THE 391ST DISTRICT COURT  
FROM TOM GREEN COUNTY**

*Per curiam. Keller, P.J., concurs.*

### 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 theft and sentenced to ten years' imprisonment. He did not appeal his conviction.

Applicant, through appointed habeas counsel, contends that his ten-year sentence is unlawful. The trial court, with the State's agreement, recommends that habeas relief be granted. *See Rawlings v. State*, 602 S.W.2d 268 (Tex. Crim. App. 1980). The findings and recommendation are supported by the record. Relief is granted.

The judgment in Cause No. D-09-0946-SB in the 391st District Court of Tom Green County is set aside, and Applicant is remanded to the custody of the Sheriff of Tom Green County to answer the charges as set out in the indictment. *See Ex parte Rich*, 194 S.W.3d 508 (Tex. Crim. App. 2006). 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: December 20, 2017  
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