



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-33, 191-04**

**EX PARTE WILLIAM LLOYD MACEACHRAN, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. F39146-A IN THE 249<sup>TH</sup> DISTRICT COURT  
FROM JOHNSON 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 one count of possession of a controlled substance and one count of possession of certain chemicals with intent to manufacture a controlled substance and sentenced to fifteen years' imprisonment on each count. He did not appeal his convictions.

Applicant contends that his plea was involuntary because, among other things, the plea agreement is impossible to perform. We remanded this application to the trial court for findings of fact and conclusions of law.

After remand, the trial court determined that plea was involuntary because the State is unable to perform a material stipulation—that the sentences would discharge no later than fifteen years after the guilty plea. Applicant is entitled to relief. *Ex parte Huerta*, 692 S.W.2d 681 (Tex. Crim. App. 1985).

Relief is granted. The judgment in Cause No. F39146 in the 249<sup>th</sup> District Court of Johnson County is set aside, and Applicant is remanded to the custody of the Sheriff of Johnson 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: December 12, 2018  
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