



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-87,410-01**

**EX PARTE DAMIAN LAMON MURKLEDOVE, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. C-4-011126-1197207-A IN THE CRIMINAL DISTRICT COURT NO. 4  
FROM TARRANT 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 capital murder and sentenced to life imprisonment. The Second Court of Appeals affirmed his conviction. *Murkledove v. State*, No. 02-12-00194-CR (Tex. App.—Fort Worth May 15, 2014).

Applicant contends that he was denied his right to pursue a petition for discretionary review in this Court through no fault of his own. *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); *Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2006). The trial court has entered findings of fact and recommends that a late

PDR be granted. The findings and recommendation are supported by the habeas record supplied to this Court.

Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Second Court of Appeals in Cause No. 02-12-00194-CR that affirmed his conviction in Cause No. 1197207D from the Criminal District Court No. 4 of Tarrant 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.

Delivered: May 2, 2018  
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