



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. WR-87,733-01

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**EX PARTE PAUL EDWARD FORREST, Applicant**

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**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 2012-CR-7304W-W1 IN THE 187<sup>TH</sup> DISTRICT COURT  
FROM BEXAR COUNTY**

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*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 improper relationship between educator and student and sentenced to two years' imprisonment. He did not appeal his conviction.

Applicant contends, among other things, that his trial counsel rendered ineffective assistance because he did not review the law or facts applicable to the charges before Applicant entered into a guilty plea. He also alleges he is actually innocent.

The trial court has determined that trial counsel's performance was deficient and that such deficient performance prejudiced Applicant. The State agrees that Applicant's plea was involuntary and that he is entitled to relief. Applicant has not carried his burden to prove actual innocence. However, we agree that Applicant's plea was involuntary due to counsel's errors. Relief is granted. The judgment in Cause No. 2012CR7304W in the 187<sup>th</sup> District Court of Bexar County is set aside, and Applicant is remanded to the custody of the Sheriff of Bexar County to answer the charges.

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

Delivered: January 24, 2018  
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