



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-87,969-02

EX PARTE CASIMIRO BUSTOS SANDOVAL, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1353837-A IN THE 248TH DISTRICT COURT
FROM HARRIS 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 murder and sentenced to fifty years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Sandoval v. State*, 14-14-00140-CR (Tex. App.—Houston [14th Dist.] del. Feb. 10, 2015).

Applicant contends that he was denied his right, through no fault of his own, to pursue a *pro se* petition for discretionary review in this Court after his conviction was affirmed. *See Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2006); *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App.

1997); *Ex parte Crow*, 180 S.W.3d 135 (Tex. Crim. App. 2005). The habeas record forwarded to this Court, which includes appellate counsel's affidavit, supports Applicant's claim.

Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Fourteenth Court of Appeals in Cause No. 14-14-00140-CR that affirmed his conviction in Cause No. 1353837 from the 248th District Court of Harris 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: August 22, 2018

Do not publish.