



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-87,549-01

EX PARTE KENTAVIAN JUANYA HOLMAN, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 2014-0688-A IN THE 217th DISTRICT COURT
FROM ANGELINA 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 aggravated robbery and sentenced to twenty years' imprisonment. The Twelfth Court of Appeals affirmed his conviction. *Holman v. State*, No. 12-15-00292-CR (Tex. App.—Tyler Jan. 18, 2017) (not designated for publication).

Applicant contends that his appellate counsel rendered ineffective assistance because counsel failed to advise him of his right to file a *pro se* petition for discretionary review. We remanded this application to the trial court for findings of fact and conclusions of law.

The trial court has, based upon the record, entered findings of fact and conclusions of law that appellate counsel failed to advise Applicant of his right to file a *pro se* petition for discretionary review. The trial court recommends that relief be granted. *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App. 1997).

We find, therefore, that Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Twelfth Court of Appeals in Cause No. 12-15-00292-CR that affirmed his conviction in Cause No. 2014-0688 from the 217th District Court of Angelina 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: March 20, 2019
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