



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-89,778-02

EX PARTE MONIQUE ROBINSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 2011-432,565-B IN THE 364TH DISTRICT COURT
FROM LUBBOCK COUNTY**

Per curiam.

OPINION

Applicant was convicted of possession of a controlled substance with intent to deliver and sentenced to eight years' imprisonment. Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends that her plea was involuntary based on counsel's failure to investigate. Based on the record, the trial court has determined that Applicant's plea was involuntary due to ineffective assistance of counsel. The trial court entered findings of fact and conclusions of law recommending that relief be granted.

Relief is granted. *Ex parte Moody*, 991 S.W.2d 856, 857–58 (Tex. Crim. App. 1999). The

judgment in cause number 2011-432,565 in the 364th District Court of Lubbock County is set aside, and Applicant is remanded to the custody of the Sheriff of Lubbock County to answer the charges as set out in the indictment. The trial court shall issue any necessary bench warrant within ten days from the date of this Court's mandate.

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

Delivered: February 26, 2020
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