



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-89,851-01**

**EX PARTE SIMON BAZILLE, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 1261252-A IN THE 180<sup>TH</sup> DISTRICT COURT  
FROM HARRIS COUNTY**

*Per curiam.* NEWELL, J., not participating.

### OPINION

Applicant was convicted of aggravated robbery and sentenced to thirty years' imprisonment. The First Court of Appeals affirmed his conviction. *Bazille v. State*, No. 01-11-00647-CR (Tex. App.—Houston [1<sup>st</sup> Dist] Feb. 20, 2014) (not designated for publication). 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 appellate counsel failed to timely inform him that his conviction had been affirmed and advise him of his right to file a *pro se* petition for discretionary review. Based on the record, the trial court has determined that Applicant did not receive notification that his conviction had been affirmed and that he had the right to file a *pro se* petition for discretionary

review.

Relief is granted. *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App. 1997); *Ex parte Crow*, 180 S.W.3d 135 (Tex. Crim. App. 2005). Applicant may file an out-of-time petition for discretionary review of the judgment of the First Court of Appeals in cause number 01-11-00647-CR. Should Applicant decide to file a petition for discretionary review, he must file it with this Court within thirty days from the date of this Court's mandate. Applicant's remaining claims are dismissed. *Ex Parte Torres*, 943 S.W.2d 469 (Tex. Crim. App. 1997).

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: January 29, 2020

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