



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. WR-90,461-01

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**EX PARTE RILEY LEANDREW BROWN, Applicant**

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**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 21,464-B IN THE 104<sup>TH</sup> DISTRICT COURT  
FROM TAYLOR COUNTY**

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*Per curiam.*

### OPINION

Applicant was convicted of possession of cocaine and sentenced to twelve years' imprisonment. He 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 he was denied his right to an appeal through no fault of his own. Based on the record, the trial court agrees that appeal was not perfected in time and has appointed counsel for Applicant.

Relief is granted. *Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2006). Applicant may file an out-of-time appeal of his conviction in cause number 21464B from the 104<sup>th</sup> District Court of Taylor County. It appears that the trial court has already appointed Applicant appellate counsel.

If this is not the case, within ten days from the date of this Court's mandate, the trial court shall determine whether Applicant is indigent. If Applicant is indigent and wants to be represented by counsel, the trial court shall appoint counsel to represent him on direct appeal. All deadlines shall be calculated as if Applicant was sentenced on the date of this Court's mandate. Should Applicant decide to appeal, he must file a written notice of appeal in the trial court within thirty 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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