



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-90,478-01

EX PARTE CHRISTOPHER LYNE JOHNSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 369CR-15-32395-A IN THE 369TH DISTRICT COURT
FROM ANDERSON COUNTY**

Per curiam.

OPINION

Applicant was convicted of aggravated assault and sentenced to eight years' imprisonment. The Twelfth Court of Appeals affirmed his conviction. *Johnson v. State*, No. 12-17-00159-CR (Tex. App.—Tyler Aug. 31, 2018) (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, among other things, that he was denied his right to file a petition for discretionary review (PDR). We remanded this application to the trial court for findings of fact and conclusions of law. On remand, the trial court made findings and conclusions and recommended that we grant Applicant an out-of-time PDR.

We agree. Relief is granted. Applicant may file an out-of-time PDR of the judgment of the Twelfth Court of Appeals in cause number 12-17-00159-CR. Should Applicant decide to file a PDR, 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: July 22, 2020
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