



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-90,776-02**

**EX PARTE JESSE LOPEZ, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 17-01-12250-2-CR IN THE 38TH/454TH DISTRICT COURT  
FROM MEDINA COUNTY**

*Per curiam.*

### OPINION

Applicant was convicted of engaging in organized criminal activity and sentenced to twelve years' imprisonment. He did not appeal his conviction. 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 his plea was involuntary because he entered the plea agreement with the understanding that he would not have to serve half of his sentence before becoming eligible for parole. Based on the record, the trial court has determined that Applicant's plea was involuntary.

Relief is granted. *Ex parte Stephenson*, 722 S.W.2d 426 (Tex. Crim. App. 1987). The judgment in cause number 17-01-12250-CR in the 38th District Court of Medina County is set aside,

and Applicant is remanded to the custody of the Sheriff of Medina 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: May 6, 2020  
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