



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-91,434-01

EX PARTE WAYNE DOLCEFINO, Applicant

**ON APPLICATION FOR AN ORIGINAL WRIT OF HABEAS CORPUS
CAUSE NO. 2316965
IN THE COUNTY CRIMINAL COURT AT LAW NO. 16
OF HARRIS COUNTY**

***Per curiam.* KELLER, P.J., and RICHARDSON, J., concurred.**

OPINION

Applicant filed an application for an original writ of habeas corpus pursuant to this Court's authority to issue extraordinary writs. TEX. CONST. art. V, § 5(c). Applicant challenges a judgment of contempt and order of commitment. On July 17, 2020, this Court issued an order staying the judgment of contempt and order of commitment "pending further action from this Court," and inviting the parties to respond.

The State of Texas, represented by Attorneys Pro Tem, agrees that Applicant is entitled to relief. After a review of the evidence and arguments, the contempt of court allegation is not supported by the habeas corpus record. Applicant is entitled to habeas corpus relief. Applicant's motion for

leave to file is granted and the relief prayed for is granted. The order adjudging Applicant guilty of direct criminal contempt is vacated and he is discharged from any further restraint of his liberty arising from the contempt order.

Delivered: November 4, 2020

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