



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-91,535-01

EX PARTE JOEL ERIC HOLDER, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 15-03-03172-CR(1) IN THE 221ST DISTRICT COURT
FROM MONTGOMERY COUNTY**

Per curiam.

OPINION

Applicant was convicted of murder and aggravated assault and sentenced to imprisonment for life and twenty years, respectively. The Ninth Court of Appeals affirmed his convictions. *Holder v. State*, Nos. 09-17-00014-CR & 09-17-00015-CR (Tex. App.—Beaumont Jan. 9, 2019) (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 in a single ground that appellate counsel failed to timely inform him that his convictions had been affirmed and advise him of his right to file *pro se* petitions for discretionary review. Based on the record, the trial court found that Applicant was deprived of his right to file *pro*

se petitions for discretionary review through no fault of his own

Relief is granted. Applicant may file out-of-time petitions for discretionary review of the judgments of the Ninth Court of Appeals in cause numbers 09-17-00014-CR and 09-17-00015-CR. Should Applicant decide to file petitions for discretionary review, he must file them with this 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: September 16, 2020
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