



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-91,961-01

EX PARTE JUAN ELIGIO GARCIA ADAMES, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. CR-1278-06-I(1) IN THE 398TH DISTRICT COURT
FROM HIDALGO COUNTY**

Per curiam.

OPINION

Applicant was convicted of capital murder and sentenced to life imprisonment. The Thirteenth Court of Appeals affirmed his conviction. *Adames v. State*, No. 13-15-00569-CR (Tex. App.—Corpus Christi Oct. 18, 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 appellate counsel failed to timely file a petition for discretionary review. Based on the record, the trial court has determined that appellate counsel's performance was deficient and that Applicant would have timely filed a petition for discretionary review but for counsel's deficient performance.

Relief is granted. Applicant may file an out-of-time petition for discretionary review of the judgment of the Thirteenth Court of Appeals in cause number 13-15-00569-CR. Should Applicant decide to file a petition for discretionary review, he must file it 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: November 18, 2020
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