



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-88,438-03 & WR-88,438-05

EX PARTE WENDELL WARD, Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NO. NOS. W0471691A & W0471691C IN THE 195TH DISTRICT COURT
FROM DALLAS COUNTY

Per curiam.

OPINION

Applicant pleaded guilty to injury to a child and was sentenced to fifteen years' imprisonment. Applicant filed these applications 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. The trial court construed the second writ application as a supplement to the initial writ application.

Applicant raises claims challenging the validity of his conviction and his sentence. He alleges he is serving a sentence that does not fall within the applicable range of punishment. Based on the record, the trial court has determined that Applicant is serving an illegal sentence. The trial court recommends denying relief on the claims challenging the validity of the conviction. We agree with the trial court's findings. Applicant's claims relating to the validity of his conviction are denied.

With respect to Applicant's punishment, relief is granted. *Ex parte Pue*, 552 S.W.3d 226, 228 (Tex. Crim. App. 2018); *Ex parte Parrott*, 396 S.W.3d 531, 534 (Tex. Crim. App. 2013). The sentence in cause number F-04-71691-N in the 195th District Court of Dallas County is set aside, and Applicant is remanded to the custody of the Sheriff of Dallas County for new punishment proceedings. 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: February 24, 2021
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