



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-89,473-01

EX PARTE DARREL KING JEFFERSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1439514-A IN THE 337TH DISTRICT COURT
FROM HARRIS COUNTY**

Per curiam.

OPINION

Applicant was convicted of assault and sentenced to thirty-seven years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Jefferson v. State*, No. 14-14-01024-CR (Tex. App.—Houston [14th Dist.] May 17, 2016) (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 that appellate counsel failed to timely inform him that his conviction had been affirmed and advise him of his right to file a *pro se* petition for discretionary review (PDR). Based on the record, the trial court made findings of fact and recommended that we grant Applicant an out-of-time PDR.

Relief is granted. *Ex parte Wilson*, 956 S.W.2d 25 (Tex. Crim. App. 1997); *Ex parte Crow*, 180 S.W.3d 135 (Tex. Crim. App. 2005). Applicant may file an out-of-time PDR of the judgment of the Fourteenth Court of Appeals in cause number 14-14-01024-CR. Should Applicant decide to file a PDR, 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: January 27, 2021
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