



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-54,480-02, WR-54,480-03, WR-54,480-04, WR-54,480-05,
WR-54,480-06, & WR-54,480-07

EX PARTE ROY GUZMAN JR., Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. 16-06-12012-CR, 17-08-12519-CR, 17-08-12518-CR, 17-05-12408-CR,
16-05-11963-CR, & 17-08-12517-CR IN THE 38TH DISTRICT COURT
FROM MEDINA COUNTY

Per curiam.

OPINION

Applicant was convicted in six different cases: two manufacture/delivery of a controlled substance, one possession of a firearm by a felon, two aggravated assault against a public servant, and one engaging in organized criminal activity. He was sentenced to twenty years' imprisonment for each manufacture/delivery offense, twenty years' imprisonment for the possession of a firearm offense, sixty years' imprisonment for one of the aggravated assault offenses, fifty-five years' imprisonment for the other aggravated assault offense, and twenty-five years' imprisonment for the engaging offense. The Fourth Court of Appeals dismissed his appeals for want of jurisdiction. *Guzman v. State*, Nos. 04-19-00678-CR, 04-19-00679-CR, 04-19-00680-CR, 04-19-00681-CR, 04-

19-00682-CR, & 04-19-00683-CR (Tex. App.—San Antonio, Dec. 18, 2019) (not designated for publication). Applicant filed these applications for writs of habeas corpus in the county of conviction, and the district clerk forwarded them to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends that he was denied his right to an appeal because trial counsel failed to timely file notices of appeal. Based on the record, the trial court has found that counsel failed to timely file notices of appeal.

Relief is granted. *Ex parte Axel*, 757 S.W.2d 369 (Tex. Crim. App. 1988); *Jones v. State*, 98 S.W.3d 700 (Tex. Crim. App. 2003). Applicant may file out-of-time appeals of his convictions in cause numbers 16-06-12012-CR, 17-08-12519-CR, 17-08-12518-CR, 17-05-12408-CR, 16-05-11963-CR, and 17-08-12517-CR from the 38th District Court of Medina County. Within ten days from the date of this Court's mandate, the trial court shall determine whether Applicant is indigent. If Applicant is indigent and wants to be represented by counsel, the trial court shall appoint counsel to represent him on direct appeal. Should Applicant decide to appeal, he must file a written notice of appeal in the trial 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:
Do not publish

August 24th, 2022