



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-88,008-03

EX PARTE JUAN ENRIQUE SARQIS JR., Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 2013-DCR-02588-B IN THE 138TH DISTRICT COURT
FROM CAMERON COUNTY**

Per curiam.

OPINION

Applicant pleaded guilty to aggravated assault with a deadly weapon and was sentenced to twelve years' imprisonment. He did not appeal his conviction. 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 his plea was involuntary because trial counsel failed to inform him that he was pleading guilty in exchange for a three-year sentence, not a twelve-year sentence. Based on the record, the trial court has determined that trial counsel was ineffective and that Applicant's plea was involuntary.

Relief is granted. *Ex parte Morrow*, 952 S.W.2d 530, 536 (Tex. Crim. App. 1997). The

judgment in cause number 2013-DCR-02588-B in the 138th District Court of Cameron County is set aside, and Applicant is remanded to the custody of the Sheriff of Cameron County to answer the charges as set out in the indictment. 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: March 30, 2022

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