



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-90,447-01**

**EX PARTE JAMAMKA RAY COTTINGHAM, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 744984-A IN THE HARRIS DISTRICT COURT  
FROM 176TH COUNTY**

*Per curiam.* YEARY, J. dissents.

### OPINION

Applicant was convicted of aggravated robbery and sentenced to 30 years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Cottingham v. State*, No. 14-97-00697-CR (Tex. App. –Houston [14<sup>th</sup>], Feb. 18, 1999). 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 he received ineffective assistance of counsel. Based on the record, the trial court has determined that counsel's representation fell below an objective standard of reasonableness, and there is a reasonable likelihood the results of the proceedings would have been different in the absence of counsel's unprofessional errors.

We agree. Relief is granted. *Strickland v. Washington*, 466 U.S. 668, 688, 694 (1984). The judgment in cause number 744984 in the 176th District Court of Harris County is set aside, and Applicant is remanded to the custody of the Sheriff of Harris 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: June 21, 2023  
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