



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-93,509-01

EX PARTE JOHN PAUL MANUEL, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. W14-76843-J(A) IN THE CRIMINAL DISTRICT COURT NO. 3
FROM DALLAS COUNTY**

Per curiam. SLAUGHTER, J., filed a concurring opinion.

OPINION

Applicant was convicted of murder and sentenced to 40 years' imprisonment. He 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 was denied his right to an appeal because counsel failed to timely file a notice of appeal. Based on the record, the trial court has found that Applicant was denied his right to an appeal due to no fault of his own.

Relief is granted. *Ex parte Riley*, 193 S.W.3d 900 (Tex. Crim. App. 2003). Applicant may file an out-of-time appeal of his conviction in cause number F-1476843-J from the Criminal District Court No. 3 District Court of Dallas 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: April 5, 2023
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