



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-94,546 -01 & -02

EX PARTE ARIEL OSVALDO CASTILLO, Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. 2014CR7041W-W1 & 2014CR7040W-W1
IN THE 186TH DISTRICT COURT FROM BEXAR COUNTY

Per curiam. HERVEY, J., did not participate.

OPINION

Applicant was convicted of two offenses of aggravated robbery and sentenced to concurrent terms of ten years' imprisonment. Applicant filed these applications for writs of habeas corpus in the county of conviction, the district court appointed habeas counsel, and the district clerk forwarded the habeas applications and records to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant had pled no contest for deferred adjudication community supervision. The trial court later revoked the probations, found Applicant guilty of the offenses, and assessed prison terms. In habeas, Applicant alleges that his revocation counsel provided ineffective assistance. Applicant and the State filed agreed findings that the trial court adopted. The trial court recommends granting habeas relief. The findings and recommendation are supported by the record and applicable law.

Relief is granted. *Cuyler v. Sullivan*, 446 U.S. 335 (1980); *Acosta v. State*, 233 S.W.3d 349 (Tex. Crim. App. 2007). The judgments in cause numbers 2014CR7041W and 2014CR7040W in the 186th District Court of Bexar County are set aside, and Applicant is remanded to the custody of the Sheriff of Bexar County to answer the charges as set out in the State's motions to revoke the probations. 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 01, 2023
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