



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-23,579-05

EX PARTE BILLY DETROY MITCHELL, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1227227-A
IN THE 179TH DISTRICT COURT FROM HARRIS COUNTY**

Per curiam. ALCALA, J., not participating.

ORDER

Pursuant to the provisions of Article 11.07 of the Texas Code of Criminal Procedure, the clerk of the trial court transmitted to this Court this application for a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of burglary of a vehicle and was sentenced to twenty years' imprisonment. The First Court of Appeals affirmed his conviction. *Mitchell v. State*, No. 01-10-00094-CR (Tex. App.–Houston [1st Dist], April 21, 2011).

On August 22, 2013, the trial court signed findings of fact and conclusions of law and recommended denying relief. Finding of fact number twelve erroneously refers to Applicant's videotaped confession as a video surveillance of the parking garage where the offense took place.

Conclusion of law number eleven erroneously refers to the videotaped confession as a surveillance video. This Court declines to adopt finding number twelve and conclusion number eleven. Based on the trial court's other findings of fact and conclusions of law, we deny relief.

Filed: October 23, 2013
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