



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-30,830-10

EX PARTE WILLIAM EARL DURHAM, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 10-09383-A IN THE 252ND DISTRICT COURT
FROM JEFFERSON COUNTY**

Per curiam.

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 pleaded guilty to of burglary of a habitation, and originally received deferred adjudication community supervision. His guilt was later adjudicated, and he was sentenced to twenty years' imprisonment. The Ninth Court of Appeals affirmed his conviction. *Durham v. State*, No. 09-11-00475-CR (Tex. App. – Beaumont, May 16, 2012).

On November 6, 2012, the trial court made findings of fact and conclusions of law, recommending that Applicant's application be dismissed for non-compliance with Rule 73 of the

Texas Rules of Appellate Procedure. The trial court also made findings of fact and conclusions of law addressing the merits of Applicant's claim, and made an alternate recommendation that the application be denied.

This Court has reviewed the record with respect to the allegations made by Applicant. We adopt the trial court's findings of fact and conclusions of law, except for findings and conclusions #1, #2, #18, and #22. Based upon the trial court's findings and conclusions and our own review, we deny relief.

Filed: January 30, 2013
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