



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-77,038-01

**EX PARTE WILLIAM LESLIE NEAL, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. CR10722 IN THE 355TH DISTRICT COURT  
FROM HOOD 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 was convicted of sexual assault and assault and sentenced to imprisonment for life and 99 years, respectively. The Second Court of Appeals affirmed his convictions. *Neal v. State*, No. 02-08-00266-CR (Tex. App.—Fort Worth 2009, pet. ref'd).

Applicant contends, among other things, that trial counsel rendered ineffective assistance. On October 24, 2012, we remanded this application and directed the trial court to order counsel to respond to “each of Applicant’s ineffective assistance of trial counsel claims.” On January 7, 2013,

we received counsel's response with the supplemental record. In a sworn affidavit, counsel said he interviewed Applicant and prepared for trial, he read the State's file and interviewed available witnesses, he prepared Applicant's sister for her testimony, he defended Applicant aggressively, and he made as many objections that tactical prudence would allow. The trial court made findings of fact and conclusions of law and recommended that we deny relief. Counsel has not responded to each of Applicant's claims. Accordingly, the trial court shall order him to do so. The trial court may use any means set out in TEX. CODE CRIM. PROC. art. 11.07, § 3(d).

If the trial court elects to hold a hearing, it shall determine whether Applicant is indigent. If Applicant is indigent and wishes to be represented by counsel, the trial court shall appoint an attorney to represent him at the hearing. TEX. CODE CRIM. PROC. art. 26.04.

After reviewing counsel's second response, the trial court shall make further findings of fact and conclusions of law as to whether counsel's conduct was deficient and, if so, Applicant was prejudiced. The trial court shall also make any other findings of fact and conclusions of law that it deems relevant and appropriate to the disposition of Applicant's claim for habeas corpus relief.

This application will be held in abeyance until the trial court has resolved the fact issues. The issues shall be resolved within 90 days of this order. A supplemental transcript containing all affidavits and interrogatories or the transcription of the court reporter's notes from any hearing or deposition, along with the trial court's supplemental findings of fact and conclusions of law, shall be forwarded to this Court within 120 days of the date of this order. Any extensions of time shall be obtained from this Court.

Filed: November 27, 2013  
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