



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-78,634-01

EX PARTE CHARLES RAY ROBINSON, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. C-17,995-A IN THE 173RD DISTRICT COURT
FROM HENDERSON COUNTY

Per curiam.

OPINION

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 aggravated robbery and sentenced to imprisonment for life. The Twelfth Court of Appeals affirmed his conviction. *Robinson v. State*, No. 12-11-00252-CR (Tex. App.—Tyler 2012, no pet.).

Applicant contends, among other things, that appellate counsel failed to timely advise him of his right to file a *pro se* petition for discretionary review. We remanded this application to the trial court for findings of fact and conclusions of law. The trial court has determined that Applicant was not timely advised that he could file a *pro se* petition for discretionary review.

We find, therefore, that Applicant is entitled to the opportunity to file an out-of-time petition for discretionary review of the judgment of the Twelfth Court of Appeals in cause number 12-11-00252-CR that affirmed his conviction in cause number C-17,995 from the 173rd District Court of Henderson County. Applicant shall file his petition for discretionary review with this Court within 30 days of the date on which this Court's mandate issues. Applicant's remaining claims are dismissed. *Ex parte Torres*, 943 S.W.2d 469 (Tex. Crim. App. 1997).

Delivered: October 30, 2013

Do not publish