



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-78,784-01

EX PARTE ROSHAWN DURAN JOHNSON, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 09CR0555
IN THE 212TH JUDICIAL DISTRICT COURT FROM GALVESTON 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 possession of a controlled substance and was sentenced to seven months' imprisonment in a state jail facility.

Applicant contends that his due process rights were violated because a forensic scientist did not follow accepted standards when analyzing evidence in his case. He alleges that a Texas Department of Public Safety (DPS) investigation supports his claim. The State and trial court agree that Applicant is entitled to relief. However, this sentence has discharged and Applicant has not

alleged any collateral consequences from the conviction. To obtain habeas relief, an applicant must be restrained in his liberty. TEX. CODE CRIM. PRO. Art. 11.01. Applicant has not made any allegation that he is confined. *Ex parte Harrington*, 310 S.W.3d 452 (Tex. Crim. App. 2010). This application is therefore dismissed.

Filed: April 17, 2013

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