



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-78,923-01**

**EX PARTE DAVID ALLEN DUNLAP, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 09-1830-K368 IN THE 368TH DISTRICT COURT  
FROM WILLIAMSON 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 four counts of improper photography. He was sentenced under a plea agreement to one year in the state jail for counts one, two, and three, which sentences were cumulated with one another, and to a probationary term for count four, which is to commence upon the completion of the cumulated sentences imposed in the first three counts. There was no direct appeal.

Applicant contends that the convictions and sentences violate double jeopardy, that the cumulation orders are improper, and that his sentences are consequently unlawful. He also complains that a condition to be imposed as part of the probationary term for count four is not authorized by

law.

After an independent review of the record provided, in regard to the claims concerning the convictions and sentences resulting in confinement in counts one, two, and three, this Court holds that Applicant is not entitled to relief. These claims are denied. In regard to the claims concerning the probated sentence in count four, the claims are not properly raised in a writ application filed pursuant to Article 11.07 of the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. arts. 11.07 §§ 1, 3(a)-(b), 11.072. These claims are dismissed.

Filed: February 6, 2013

Do not publish