



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-78,971-02

**EX PARTE CLEOPHAS SIMEINA, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. 1046747 IN THE 263<sup>RD</sup> DISTRICT COURT  
FROM HARRIS 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 aggravated robbery in exchange for deferred adjudication community supervision. His guilt was later adjudicated, and he was sentenced to fifteen years' imprisonment.

Applicant filed his first application for writ of habeas corpus in the district court on April 28, 2011. In October of 2012, Applicant filed an amended application in the district court. On, February 13, 2013, the trial court made findings of fact and conclusions of law addressing the grounds raised in the first application, but not the amended application. The trial court recommended that relief be

denied.

The trial court's findings did not fully address all fact issues necessary to the resolution of the claims that Applicant raised in his first and amended applications. Nonetheless, this Court has undertaken an independent review of all the evidence in the record. Therefore, based on the trial court's findings of fact and conclusions of law as well as this Court's independent review of the entire record, we deny relief.

Filed: April 17, 2013  
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