



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-79,159-01

EX PARTE RICHARD MILLER WALKER, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 841603 IN THE 338TH DISTRICT COURT
FROM HARRIS COUNTY**

Per curiam. ALCALA, J., not participating.

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 murder and sentenced to seventy-five years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Walker v. State*, No. 14-01-01197-CR (Tex. App.—Houston [14th Dist.] 2003, pet. ref'd).

In a single ground in an amended application, Applicant contends that trial counsel failed to object to the admission of extraneous offense evidence at punishment. He contends that the State

failed to provide pretrial notice or else provided inadequate pretrial notice of its intent to introduce extraneous offense evidence. The trial court adopted Applicant's proposed findings of fact and conclusions of law and recommended that we grant Applicant a new punishment hearing. Based on our own independent review of the record, we find that the State's notice was sufficient and that the trial court would not have erred in overruling counsel's objection. Relief is denied.

Filed: April 17, 2013
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