



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

---

---

NO. WR-79,472-01

---

---

**EX PARTE DUSTY GUS HERNANDEZ, Applicant**

---

---

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. CR33037A IN THE 238TH DISTRICT COURT  
FROM MIDLAND 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 two counts of aggravated sexual assault and one count of indecency with a child. He was sentenced to imprisonment for two terms of life and one term of twenty years. The Eleventh Court of Appeals affirmed his convictions. *Hernandez v. State*, No. 11-09-00065-CR (Tex. App.—Eastland 2010, pet. ref'd).

Applicant contends that trial counsel rendered ineffective assistance. After holding a live evidentiary hearing, the trial court made findings of fact and conclusions of law and recommended

that we deny this application. We agree that Applicant's claims are without merit.

During the evidentiary hearing, the State introduced Exhibits 3 through 12, pictures of the complainant and Applicant. If it has not already done so, the trial court shall seal these Exhibits. If a party wishes to have them unsealed, he or she may file a motion with the trial court. This application is denied.

Filed: September 18, 2013  
Do not publish