



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-79,606-02

EX PARTE TYRONE LOUIS GILBERT, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 07-02528-A IN THE 252nd DISTRICT COURT
FROM JEFFERSON COUNTY**

Per curiam.

OPINION

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 life imprisonment. The Ninth Court of Appeals affirmed his conviction. *Gilbert v. State*, No. 09-10-00439-CR (Tex. App.—Beaumont, delivered August 24, 2011, pet. ref'd).

Applicant contends, *inter alia*, that his trial counsel, Ms. Stella M. Morrison, rendered ineffective assistance during voir dire, the guilt-innocence phase of trial, and the punishment phase

of trial.¹

The trial court has determined, based upon the record, that trial counsel's performance was deficient in that counsel rendered ineffective assistance throughout the entire trial process, and that such deficient performance prejudiced Applicant. We agree. Relief is granted. The judgment in Cause No. 07-02528-A in the 252nd District Court of Jefferson County is set aside, and Applicant is remanded to the custody of the Sheriff of Jefferson County. The trial court shall issue any necessary bench warrant within 10 days after the mandate of this Court issues.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice-Correctional Institutions Division and Pardons and Paroles Division. Copies of this opinion shall also be sent to the State Bar of Texas, Chief Disciplinary Counsel's Office.

Delivered: November 6, 2013
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¹ The Applicant has alleged thirteen grounds of ineffective assistance of counsel in this cause along with four other separate grounds for relief.