



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-79,923-03

EX PARTE ROY EVERET CASTER, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 007-1186-01-A
IN THE 7TH DISTRICT COURT FROM SMITH 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 delivery of marihuana and was sentenced to twenty-five years' imprisonment. The Twelfth Court of Appeals dismissed his appeal for want of jurisdiction. *Caster v. State*, No. 12-05-00119-CR (Tex. App.–Tyler, June 30, 2006).

On September 10, 2013, the trial court signed findings of fact and conclusions of law and recommended denying relief. This Court denies relief, but declines to adopt the trial court's findings

of fact and conclusions of law as they pertain to the doctrine of laches and the abuse of the writ process.

Filed: October 23, 2013

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