

**Opinion issued August 17, 2021**



**In The  
Court of Appeals  
For The  
First District of Texas**

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**NO. 01-20-00748-CR**

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**EX PARTE DEVIN PAUL COLE**

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**On Appeal from the 184th District Court  
Harris County, Texas  
Trial Court Case No. 1693755**

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**MEMORANDUM OPINION**

Appellant, Devin Paul Cole, appeals an order denying his pretrial application for a writ of habeas corpus seeking release on personal bond. The underlying case was subsequently resolved by plea bargain agreement and appellant was sentenced to two years' imprisonment for the offense of aggravated assault with a deadly weapon. Issues concerning pretrial release are moot after a defendant is convicted.

*See Martinez v. State*, 826 S.W.2d 620, 620 (Tex. Crim. App. 1992) (holding that appeal challenging denial of pretrial application for writ of habeas corpus becomes moot when appellant is convicted of underlying offense and no longer subject to pretrial confinement); *see also Henriksen v. State*, 500 S.W.2d 491, 494 (Tex. Crim.App.1973); *Myres v. State*, 866 S.W.2d 673 (Tex. App.—Houston [1st Dist.] 1993, pet. ref'd). Accordingly, we dismiss the appeal as moot.

**PER CURIAM**

Panel consists of Justices Goodman, Landau, and Countiss.

Do not publish. TEX. R. APP. P. 47.2(b).