



THE COURT OF CRIMINAL APPEALS OF TEXAS

June 17, 2020

THE FOLLOWING ORDERS ARE ENTERED AND OPINIONS HANDED DOWN:

AP-77,096 WARD, LUCKY FROM HARRIS COUNTY
DISMISSED - PER CURIAM
PUBLISHED

PD-1044-19 MORENO, RICKY FROM DALLAS COUNTY - 05-18-00271-CR
VACATED COA; REMANDED COA - OPINION PRESIDING JUDGE KELLER
PUBLISHED

PD-1226-18 ZIMMERMAN, MARK DAVID FROM GRAYSON COUNTY - 05-17-00492-CR
DISMISSED AS IMPROVIDENTLY GRANTED - PER CURIAM
JUDGE SLAUGHTER DISSENTED
NON-PUBLISHED

HABEAS CORPUS RELIEF GRANTED-OPINIONS BY THE COURT:

WR-87,795-01 GRAY, EVERETT CORNELIUS DALLAS COUNTY
HC RELIEF GRANTED - PER CURIAM
NON-PUBLISHED

WR-87,795-03 GRAY, EVERETT CORNELIUS DALLAS COUNTY
HC RELIEF GRANTED - PER CURIAM
NON-PUBLISHED

WR-90,968-01 MCGAUGH, KEVIN WILLIAM MCLENNAN COUNTY
HC RELIEF GRANTED - PER CURIAM
NON-PUBLISHED

WR-91,087-01 FACUNDO, JOSEPH HARRIS COUNTY
HC RELIEF GRANTED - PER CURIAM
NON-PUBLISHED

HABEAS CORPUS RELIEF GRANTED-OPINIONS BY THE COURT:

WR-91,220-01 THOMPSON, DYRON DONTAVIOUS CORYELL COUNTY
HC RELIEF GRANTED - PER CURIAM
NON-PUBLISHED

APPELLANT'S MOTION FOR REHEARING DENIED:

AP-77,063 CALVERT, JAMES FROM SMITH COUNTY

STATE'S MOTION FOR REHEARING DENIED:

WR-90,415-01 PALMA, ALEXANDER BEXAR COUNTY

WR-90,415-02 PALMA, ALEXANDER BEXAR COUNTY

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW GRANTED:

PD-0048-20 VILLARREAL , DAVID ASA FROM BEXAR COUNTY - 04-18-00484-CR
ORAL ARGUMENT WILL BE PERMITTED

PD-0241-20 WEXLER, SUZANNE ELIZABETH FROM HARRIS COUNTY - 14-17-00606-CR
ORAL ARGUMENT WILL NOT BE PERMITTED

STATE'S PETITION FOR DISCRETIONARY REVIEW GRANTED:

PD-0245-20 SPIELBAUER, JEREMY DAVID FROM RANDALL COUNTY - 07-18-00028-CR
ORAL ARGUMENT WILL NOT BE PERMITTED

PD-0262-20 TURLEY, ANDREW JAMES FROM HARRIS COUNTY - 14-18-00235-CR
ORAL ARGUMENT WILL NOT BE PERMITTED

PD-0263-20 TURLEY, ANDREW JAMES FROM HARRIS COUNTY - 14-18-00236-CR
ORAL ARGUMENT WILL NOT BE PERMITTED

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0047-20 HOLLOWAY, DOROTHY A. FROM BEXAR COUNTY - 04-18-00481-CR

DISSENTING OPINION JUDGE WALKER
(JUDGE KEEL JOINED)
PUBLISHED

PD-0054-20 MELENDEZ, JOSE ARMANDO FROM POTTER COUNTY - 07-19-00083-CR

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0055-20 MELENDEZ, JOSE ARMANDO FROM POTTER COUNTY - 07-19-00084-CR

PD-0094-20 SMITH, CHARLES EDWARD FROM TRAVIS COUNTY - 03-18-00185-CR

PD-0111-20 HIDEN, SERGE L. FROM BEXAR COUNTY - 04-18-00701-CR
JUDGE HERVEY DID NOT PARTICIPATE
PRESIDING JUDGE KELLER WOULD GRANT

PD-0112-20 HIDEN, SERGE L. FROM BEXAR COUNTY - 04-18-00702-CR
JUDGE HERVEY DID NOT PARTICIPATE
PRESIDING JUDGE KELLER WOULD GRANT

PD-0114-20 VALDEZ, FAUSTINO FROM DALLAS COUNTY - 05-18-00917-CR

PD-0115-20 LICON, ROBERT JR. FROM ECTOR COUNTY - 11-17-00221-CR

PD-0116-20 LICON, ROBERT JR. FROM ECTOR COUNTY - 11-17-00251-CR

PD-0117-20 MATTHEWS, TODDRICK FROM BOWIE COUNTY - 06-19-00039-CR

PD-0118-20 COOPER, JOHNATHAN FROM TARRANT COUNTY - 05-18-01246-CR

PD-0134-20 BAZILLE, SIMON FROM HARRIS COUNTY - 01-11-00647-CR

PD-0136-20 ALANIZ, JOSE RUPERTO FROM WICHITA COUNTY - 01-18-00599-CR
JUDGE YEARY WOULD GRANT

PD-0137-20 FERREIRA, FERNANDO RAFAEL FROM HARRIS COUNTY - 14-15-00767-CR

PD-0139-20 SAM, RAPHAEL DIMENICK FROM JEFFERSON COUNTY - 09-19-00040-CR

PD-0140-20 SAM, RAPHAEL DIMENICK FROM JEFFERSON COUNTY - 09-19-00041-CR

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

- PD-0150-20** DAVIS, GEORGE RAY FROM HOOD COUNTY - 07-19-00228-CR
- PD-0151-20** HULL, CARLOS EDWARD FROM ANDERSON COUNTY - 12-18-00323-CR
- PD-0175-20** WILLIAMS, EX PARTE DAVID FROM BRAZORIA COUNTY - 14-18-00568-CR
- PD-0212-20** LIMONTA-DIAZ, OSMANI FROM TRAVIS COUNTY - 03-18-00293-CR
- PD-0214-20** WOODS, BRANDON DAMOND FROM COLLIN COUNTY - 05-19-00832-CR
- PD-0216-20** HAYNES, SETH JOACHIM FROM JEFFERSON COUNTY - 09-18-00303-CR
- PD-0228-20** DEGOLLADO, ROBERTO FROM TRAVIS COUNTY - 03-20-00007-CR
- PD-0229-20** PORRAS, JIMMY FROM DALLAS COUNTY - 05-18-01108-CR
- PD-0230-20** MCMAHON, JWAN AKA JWAN MCMAHAN FROM TARRANT COUNTY - 02-19-00144-CR
- PD-0231-20** MCMAHON, JWAN AKA JWAN MCMAHAN FROM TARRANT COUNTY - 02-19-00145-CR
- PD-0238-20** RODRIGUEZ, EX PARTE MARITZA DELSONGA FROM MONTGOMERY COUNTY - 09-19-00339-CR
- PD-0242-20** CHILDERS, PATRICK THOMAS FROM KERR COUNTY - 04-19-00231-CR
- PD-0254-20** GUAJARDO, JUAN RODRIGUEZ FROM MCLENNAN COUNTY - 10-17-00171-CR
- PD-0259-20** RICKERSON, DAVID LEE FROM DALLAS COUNTY - 05-19-00990-CR
- PD-0266-20** RELIFORD, TYRIN FROM DENTON COUNTY - 02-19-00269-CR

PD-0276-20 MARTINEZ, DAVID RICHARDO FROM DALLAS COUNTY - 05-18-01107-CR

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0280-20 FREEMAN, SHAWNTAVIUS DEJUAN FROM TARRANT COUNTY - 01-18-00610-CR

PD-0301-20 MARTINEZ, JOSE REX FROM PALO PINTO COUNTY - 11-19-00253-CR

PD-0314-20 MORENO, DANIEL FROM HARRIS COUNTY - 14-18-00113-CR

PD-0332-20 STERLING, LARRY DONAL FROM BRAZOS COUNTY - 10-19-00250-CR

PD-0349-20 WHITE, JOHN FROM HAYS COUNTY - 03-18-00110-CR

PD-0351-20 VELASQUEZ, BRANDON EDENILSON FROM DALLAS COUNTY - 05-19-00003-CR

PD-0352-20 STONE, JEVON FROM BRAZORIA COUNTY - 01-18-01126-CR

PD-0353-20 PICKROM, NATHANIEL DALONE JR. FROM TARRANT COUNTY - 02-19-00188-CR

PD-0354-20 PICKROM, NATHANIEL DALONE JR. FROM TARRANT COUNTY - 02-19-00189-CR

PD-0355-20 ADAME, EX PARTE DAVID FROM TITUS COUNTY - 06-19-00206-CR

PD-0366-20 LIVINGS, STEPHEN WARFIELD FROM HARRIS COUNTY - 14-18-00499-CR

PD-0367-20 LERMA, KRYSTAL NICOLE FROM TOM GREEN COUNTY - 03-18-00578-CR

PD-0370-20 HAYWOOD-WATSON, RICKY FROM HARRIS COUNTY - 14-18-00547-CR

PD-0371-20 CAMPOS, JESUS FRANCISCO JR. FROM HARRIS COUNTY - 14-18-00989-CR

PD-0381-20 WINEGEART, ZACHARY ISAAC FROM EASTLAND COUNTY - 11-19-00299-CR

PD-0386-20 QADIR, MUQTASID FROM TARRANT COUNTY - 02-19-00377-CR

APPELLANT'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0388-20 GARNETT, JERRY EUGENE FROM BRAZORIA COUNTY - 01-18-01129-CR

PD-0392-20 OLIVER, WILLIE FROM SMITH COUNTY - 12-19-00247-CR

PD-0396-20 WARREN, LARRY LAMONT FROM SMITH COUNTY - 12-19-00257-CR

PD-0421-20 GUTIERREZ, GERMAN FROM HARRIS COUNTY - 01-18-00624-CR

PD-0423-20 SALCIDO, EX PARTE DANNY FROM EL PASO COUNTY - 08-19-00178-CR

PD-0428-20 BYRD, ALLEN FROM NUECES COUNTY - 13-19-00302-CR

PD-0429-20 COURTNEY, JOE HENRY JR. FROM TAYLOR COUNTY - 11-18-00097-CR

PD-1283-19 HAMPTON, LUKE FROM KAUFMAN COUNTY - 05-15-00509-CR

CONCURRING OPINION JUDGE HERVEY
(JUDGE RICHARDSON JOINED)
(JUDGE NEWELL JOINED)
PUBLISHED

STATE'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0159-20 INGRAM, DANA LEE FROM SMITH COUNTY - 12-18-00329-CR
PRESIDING JUDGE KELLER AND JUDGE KEEL WOULD GRANT

DISSENTING OPINION JUDGE YEARY
PUBLISHED

PD-0200-20 COUCH, JOHN PHILLIP II FROM COMAL COUNTY - 03-16-00727-CR
JUDGE YEARY AND JUDGE SLAUGHTER WOULD GRANT

APPELLEE'S PETITION FOR DISCRETIONARY REVIEW REFUSED:

PD-0223-20 SIMMONS, GERARD DANTE FROM LIBERTY COUNTY - 09-18-00406-CR

APPLICATIONS FOR WRIT OF HABEAS CORPUS DENIED WITHOUT WRITTEN ORDER:

WR-33,758-04 PATTERSON, AUBREY DEAN MIDLAND COUNTY

APPLICATIONS FOR WRIT OF HABEAS CORPUS DENIED WITHOUT WRITTEN ORDER:

WR-61,568-03 MAHAN, DWIGHT LEE PALO PINTO COUNTY

WR-61,996-02 BRUCE, ANTHONY QUINN COLLIN COUNTY

WR-81,256-06 ZUNIGA, CARLOS JIM WELLS COUNTY

WR-86,437-02 GREEN, MARK ALLEN NAVARRO COUNTY

WR-87,674-02 ZAVALA, DAVID EL PASO COUNTY

WR-89,123-01 MONTOYA, DANIEL ALBERTO DALLAS COUNTY

WR-89,123-02 MONTOYA, DANIEL ALBERTO DALLAS COUNTY

WR-89,763-01 WEBSTER, RODRIS DENARD HARRISON COUNTY

WR-89,938-01 ROBINSON, SHERMAN BEXAR COUNTY

WR-90,386-03 SMITH, BLAKE AKA SMITH, BLAKE JAY POTTER COUNTY

WR-90,386-04 SMITH, BLAKE AKA SMITH, BLAKE JAY POTTER COUNTY

WR-90,624-01 POTTER, WILLIAM WOOD COUNTY

WR-90,686-01 SANCHEZ, JOSE LUIS HARRIS COUNTY

WR-90,795-01 BARKER, MORGAN DANIEL CASS COUNTY

WR-90,934-01 POEHLMANN, BENJAMIN BEXAR COUNTY

WR-90,994-01 GENTRY, JESSE ERIC JEFFERSON COUNTY

WR-91,029-01 OVERSTREET, NOLAN RYAN TARRANT COUNTY

APPLICATIONS FOR WRIT OF HABEAS CORPUS DENIED WITHOUT WRITTEN ORDER:

WR-91,043-01 CHAVEZ, RUDOLPH MCLENNAN COUNTY

WR-91,100-01 LEWIS, LATHER LUBBOCK COUNTY

WR-91,159-01 HINES, GERALD HARRIS COUNTY

WR-91,193-01 DIXON, RICHARD RAYMOND II LAMAR COUNTY

WR-91,205-01 SIMPSON, SAMUEL SKYLER POTTER COUNTY

APPLICATIONS FOR WRIT OF HABEAS CORPUS DISMISSED WITHOUT WRITTEN ORDER:

WR-27,353-05 GILBERT, REGINALD CHRISTOPHER MIDLAND COUNTY

WR-38,786-06 GARRISON, WILLIAM SCOTT GRAYSON COUNTY

WR-52,713-04 WHITE, FELTON D. LUBBOCK COUNTY

WR-72,648-04 HARDIN, BILLY PINK DALLAS COUNTY

WR-78,973-03 WILSON, STEVEN PAUL LEE COUNTY

WR-82,599-02 HAYWOOD, DAVID LEWIS JASPER COUNTY

WR-88,149-02 SEXTON, JERMAINE EARL HARRIS COUNTY

WR-88,780-02 ALEXANDER, BRANDON KEITH CASS COUNTY

WR-89,916-01 LEWIS, MICHAEL RAY HARRIS COUNTY

WR-91,148-01 WATSON, DAVID DWAYNE TARRANT COUNTY

WR-91,186-01 ECKOLS, DUSTIN ALLEN GUADALUPE COUNTY

APPLICATIONS FOR WRIT OF HABEAS CORPUS REMANDED TO TRIAL COURT:

- WR-32,152-02** LINDSEY, JAMES RANDLE TARRANT COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-90,442-01** CASEY, DEREK LEE JR TAYLOR COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-90,442-02** CASEY, DEREK LEE JR TAYLOR COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-90,999-02** PIXLEY, AMANDA DARLENE POLK COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-90,999-03** PIXLEY, AMANDA DARLENE POLK COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-90,999-04** PIXLEY, AMANDA DARLENE POLK COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-91,211-01** SPENCER, JEREMY DILLON SAN AUGUSTINE COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-91,215-01** ELLISON, JACOB DOUGLAS HOOD COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED
- WR-91,222-01** SILVA, RIGOBERTO OLIVAREZ JR. HIDALGO COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED

WR-91,222-02 SILVA, RIGOBERTO OLIVAREZ JR. HIDALGO COUNTY
HC REMANDED TC - EVIDENTIARY HEARING OR AFFIDAVITS - PER CURIAM
NON-PUBLISHED

ARTICLE 11.071 APPLICATION FOR WRIT OF HABEAS CORPUS DISMISSED WITH WRITTEN ORDER:

WR-84,320-02 CARGILL, KIMBERLY SMITH COUNTY
DISMISSED WITH WRITTEN ORDER - PER CURIAM
NON-PUBLISHED

MOTION FOR LEAVE TO FILE APPLICATION FOR ORIGINAL WRIT OF MANDAMUS DENIED WITHOUT WRITTEN ORDER - DEATH PENALTY:

WR-91,012-01 IN RE STATE OF TEXAS EX. REL. JAIME ESPARZA, RELATOR EL PASO COUNTY

MOTION FOR LEAVE TO FILE ORIGINAL APPLICATION FOR WRIT OF MANDAMUS DENIED WITHOUT WRITTEN ORDER:

WR-25,679-41 LOWE, ARTHUR DAVID HARRIS COUNTY

WR-90,999-01 PIXLEY, AMANDA DARLENE POLK COUNTY

WR-91,259-01 DAVIS, DONNIE REED ANDERSON COUNTY

MOTION FOR LEAVE TO FILE ORIGINAL APPLICATION FOR WRIT OF HABEAS CORPUS DENIED WITHOUT WRITTEN ORDER:

WR-65,590-29 CALTON, ALLEN FITZGERALD TARRANT COUNTY

WR-91,204-01 STEM, SUNNI MARIE RUSK COUNTY

WR-91,209-01 DRIVER, MARK ALLEN HARRIS COUNTY

WR-91,218-01 PEREZ, NICHOLAS BEXAR COUNTY

WR-91,264-01 CROSS, JEFFERY TODD

ABUSE OF WRIT ORDER ENTERED:

WR-32,568-15 PERRY, SEDRICK LAMAR BEE COUNTY
ABUSE OF WRIT - PER CURIAM
NON-PUBLISHED

APPLICATIONS FOR WRIT OF HABEAS CORPUS DISMISSED WITH A WRITTEN ORDER:

WR-87,329-08 MEDRANO, EDWARD FERNANDEZ MIDLAND COUNTY

DISMISSED WITH WRITTEN ORDER - PER CURIAM
NON-PUBLISHED

APPLICATIONS FOR WRIT OF HABEAS CORPUS DISMISSED WITH A WRITTEN ORDER:

WR-87,329-09 MEDRANO, EDWARD FERNANDEZ MIDLAND COUNTY
DISMISSED WITH WRITTEN ORDER - PER CURIAM
NON-PUBLISHED

**MOTION FOR LEAVE TO FILE APPLICATION FOR WRIT OF MANDAMUS HELD IN ABEYANCE
AND RESPONDENT IS ORDERED TO FILE ANSWER:**

WR-57,383-03 JACKSON, REGINALD EUGENE HARRIS COUNTY
MOTION FOR LEAVE TO FILE HELD IN ABEYANCE W/ORDER - PER CURIAM
NON-PUBLISHED

WR-91,154-01 MONTGOMERY, GREGORY HARRIS COUNTY
MOTION FOR LEAVE TO FILE HELD IN ABEYANCE W/ORDER - PER CURIAM
NON-PUBLISHED

WR-91,194-01 SALDANA, ROGER FRIO COUNTY
MOTION FOR LEAVE TO FILE HELD IN ABEYANCE W/ORDER - PER CURIAM
NON-PUBLISHED