



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-86,966-01**

**EX PARTE GREGORY HEATH STONEMAN, Applicant**

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS  
CAUSE NO. C-40,706-A IN THE 244TH DISTRICT COURT  
FROM ECTOR 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 four counts of aggravated assault of a public servant and was sentenced to imprisonment. He did not appeal his convictions.

Applicant contends that his guilty pleas were involuntary due to the ineffective assistance of his trial counsel. *Strickland v. Washington*, 466 U.S. 668 (1984); *Lee v. United States*, 137 S. Ct. 1958 (2017); *Ex parte Morrow*, 952 S.W.2d 530, 534 (Tex. Crim. App. 1997). The trial court held

an evidentiary hearing and entered findings of fact and conclusions of law. The trial court recommends that habeas relief be granted regarding all counts of conviction in this cause.

Relief is granted. The four counts of conviction in the judgments in Cause No. C-40,706 in the 244th District Court of Ector County are set aside. Applicant is remanded to the custody of the Sheriff of Ector County to answer the charges as set out in the indictment. 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.

Delivered: May 16, 2018  
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