

TEXAS COURT OF CRIMINAL APPEALS

Johnson, Rickey Lynn

No. WR-?Z, 364-01, Texas Court of Criminal Appeals (June 9, 2015)

SUMMARY

This document consists of a June 1, 2015 letter and supporting affidavit by Rickey Lynn Johnson to the Texas Court of Criminal Appeals. Johnson alleges that another inmate deceived him into submitting a habeas corpus application without his knowledge of its contents and requests permission to refile a habeas application without being deemed to have abused the writ.

CASE DETAILS

COURT	Texas Court of Criminal Appeals
JURISDICTION	Texas
DECIDED	June 9, 2015
DOCKET	WR-?Z, 364-01
DISPOSITION	other
PROCEDURAL POSTURE	Applicant submitted an affidavit requesting permission to refile an Article 11.07 habeas application without being deemed to have abused the writ or filed a successive petition.
PRECEDENTIAL VALUE	Not determinable from the provided text; the document appears to be an applicant's filing or accompanying submission rather than a reasoned precedential opinion.

TOPICS

state post-conviction relief successive petitions post-conviction relief habeas corpus appellate procedure

PRACTICE AREAS

criminal post-conviction procedure habeas corpus

QUESTIONS PRESENTED

1. Whether Johnson should be permitted to file a subsequent Article 11.07 habeas application without being subject to an abuse-of-writ or successive-filing bar based on his allegation that the prior application was prepared or filed without his informed understanding.

FACTUAL BACKGROUND

Johnson stated that inmate Craig Converse reviewed his legal documents and represented that he could obtain reversal of Johnson's conviction and a new trial for \$60. Johnson alleged that, while suffering from serious medical problems affecting memory and balance, he signed habeas forms without having them read or explained and did not understand the claims or consequences. He requested permission to file a new application under Texas Code of Criminal Procedure article 11.07 without an abuse-of-writ finding.

PROCEDURAL HISTORY

The document states that a prior habeas application was denied without written order on November 26, 2014. Johnson alleged that another inmate prepared or induced the filing without adequately explaining its contents and asked the Texas Court of Criminal Appeals to permit a new filing. The provided text contains no judicial analysis or express disposition of that request.

DISPOSITION

other