

No Habeas relief for juvenile convicted in adult court for offense committed while he was a juvenile (not certified), where adverse consequences no longer exist. [Ex parte Rodriguez-Padilla](13-2-5)

On February 13, 2013, the Texas Court of Criminal Appeals dismissed an application for a writ of habeas corpus for adult convictions committed while applicant was a juvenile because applicant was released from the Federal Bureau of Prisons in 2012, and he is no longer suffering the collateral consequence pled in his applications.

¶ 13-2-5. **Ex parte Rodriguez-Padilla**, UNPUBLISHED, Nos. WR-78357-01, WR-78357-02, WR-78357-03, 2013 WL 541629 (Tex.Crim.App., 2/13/13).

**Facts:** 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 these applications for a writ of habeas corpus. Ex parte Young, 418 S.W.2d 824, 826 (Tex.Crim.App.1967). Applicant was convicted of three counts of delivery of marihuana and sentenced to three years' imprisonment on each count. He did not appeal his convictions.

Applicant contends that because he was a juvenile when he committed these offenses, the trial court lacked jurisdiction. His sentences for these convictions have discharged, but he contends that he recently pleaded guilty in a federal case and that these convictions will increase the range of punishment in his federal case. On September 26, 2012, we remanded these applications for findings of fact and conclusions of law. On remand, the trial court made findings and conclusions and recommended that we grant relief. We disagree.

**Held:** Applications dismissed

**Per Curiam Opinion:** Based on our own independent review of the record, we conclude that Applicant was released from the Federal Bureau of Prisons in 2012, and that he is no longer suffering the collateral consequence pled in his applications.

**Conclusion:** Accordingly, these applications are dismissed.