IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-93,111-01

EX PARTE JONATHAN EDWARD FREEMAN, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1143836-A IN THE 339TH DISTRICT COURT
FROM HARRIS COUNTY**

***Per curiam*.**

O R D E R

Applicant was convicted of aggravated robbery with a deadly weapon and sentenced to twenty-five years' imprisonment. The Fourteenth Court of Appeals affirmed his conviction. *Freeman v. State*, No. 14-09-00882-CR (Tex. App.—Houston [14th Dist.], Feb. 24, 2011) (not designated for publication). Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant raised four grounds of relief, all of which were based on his argument that new DNA analysis contradicts the DNA evidence and/or accomplice-witness testimony relied upon by the State at trial. This Court remanded Applicant's ineffective assistance of counsel claim to the trial

court for findings of fact and conclusions of law. The trial court found that counsel was not ineffective, but it recommended that this Court grant relief on the basis of Texas Code of Criminal Procedure Article 11.073.

However, after independently reviewing the entire record, this Court finds that the record does not support the trial court's recommendation to grant relief. The record does not show that had the new scientific evidence been presented at trial, on the preponderance of the evidence, Applicant would not have been convicted. Relief is denied.

Filed: June 8th, 2022
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