IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-95,342-02

EX PARTE MICHAEL TANNER, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS CAUSE NO. 2017D02822-409-2 IN THE 409TH DISTRICT COURT FROM EL PASO COUNTY

***Per curiam*.**

O P I N I O N

Applicant was convicted of aggravated robbery and unlawful possession of a firearm and sentenced to seven years' imprisonment. 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 contends that he is being illegally confined past his maximum discharge date because he is not being properly credited with time served under a detainer in this charge while he was serving time in New Mexico. The trial court has determined that a detainer was lodged against him on this charge for part of the time he was in New Mexico's custody. Specifically, the trial court finds that Applicant is entitled to an extra 825 days pre-sentence jail time credit for time spent under

that detainer. We agree.

The judgment in this cause is amended to reflect a total of 957 days pre-sentence jail time credit to reflect the time already given and this additional credit. All other relief is denied.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice–Correctional Institutions Division and the Board of Pardons and Paroles.

Delivered: February 5, 2025
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