

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

1/29/2025

BUGGS, STEPHEN LYNN Tr. Ct. No. W-0686341-B **WR-72,741-08**

The Court has dismissed without written order this subsequent application for a writ of habeas corpus. TEX. CODE CRIM. PROC. Art. 11.07, Sec. 4(a)-(c).

Deana Williamson, Clerk

STEPHEN LYNN BUGGS

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

1/29/2025

BUGGS, STEPHEN LYNN Tr. Ct. No. W-0686342-B **WR-72,741-09**

The Court has dismissed without written order this subsequent application for a writ of habeas corpus. TEX. CODE CRIM. PROC. Art. 11.07, Sec. 4(a)-(c).

Deana Williamson, Clerk

STEPHEN LYNN BUGGS

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

1/29/2025

BUGGS, STEPHEN LYNN Tr. Ct. No. W-0686343-C **WR-72,741-10**

The Court has dismissed without written order this subsequent application for a writ of habeas corpus. TEX. CODE CRIM. PROC. Art. 11.07, Sec. 4(a)-(c).

Deana Williamson, Clerk

STEPHEN LYNN BUGGS P62C 33
COFFIELD UNIT - TDC # 1477843
2661 FM 2054
TENNESSEE COLONY, TX 75884

AL26668 75884

W06-86341-(T)B

EX PARTE	§	IN THE 283RD JUDICIAL
STEPHEN LYNN BUGGS	§	DISTRICT COURT
APPPLICANT	§	DALLAS COUNTY, TEXAS

FINDINGS OF FACT AND CONCLUSIONS OF LAW ON
APPLICATION FOR WRIT OF HABEAS CORPUS

On this day came to be considered Applicant's Application for Writ of Habeas Corpus and the State's Response. Having considered these pleadings and the official court records, this court enters the following findings of fact and conclusions of law:

HISTORY OF THE CASE

Applicant was charged by indictment with the offense of trafficking of a person. Two prior felony offenses were alleged for enhancement purposes. Applicant entered a plea of not guilty and proceeded with a trial by jury. The jury found him guilty of the charged offense, found the enhancement paragraphs true, and sentenced him to 75 years' incarceration in the Texas Department of Criminal Justice, Institutional Division. Applicant's conviction was affirmed on direct appeal.

This is Applicant's second application for habeas relief in this cause pursuant to Article 11.07. Applicant's first writ was denied on August 26,

2015.

ISSUES RAISED IN APPLICATION

Applicant alleges five grounds of relief: (1) the trial court violated his right to be present during voir dire, (2) he was denied the effective assistance of counsel, (3) the State withheld information about the benefit that co-defendant Sheryn Villanueva would receive for testifying against Applicant at his trial, in violation of *Brady v. Maryland*, (4) a conflict of interest existed because Applicant and his co-defendant were previously represented by two attorneys who were members of the District Attorney's Office in supervisory roles at the time of Applicant's trial; and (5) trial counsel refused to turn over his file as requested.

RELEVANT LAW

Article 11.07 (4) of the Texas Code of Criminal Procedures provides:

(a) If a subsequent application for writ of habeas corpus is filed after final disposition of an initial application challenging the same conviction, a court may not consider the merits of or grant relief based on the subsequent application unless the application contains sufficient specific facts establishing that:

(1) the current claims and issues have not and could not have been presented previously in an original application or in a previously considered application filed under this article because the factual or legal basis for the claim was unavailable on the date the applicant filed the previous application; or

(2) by a preponderance of the evidence, but for a violation of the United States Constitution no rational juror could have found the applicant guilty beyond a reasonable doubt.

(b) For purposes of Subsection (a)(1), a legal basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the legal basis was not recognized by and could not have been reasonable formulated from a final decision of the United States Supreme Court, a court of appeals of the United States, or a court of appellate jurisdiction of this state on or before that date.

(c) For purposes of Subsection (a)(1), a factual basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the factual basis was not ascertainable through the exercise of reasonable diligence on or before that date.

TEX. CODE CRIM. PROC. ANN. art. 11.07, § 4.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Applicant's first application was denied on the merits by the Court of Criminal Appeals on August 26, 2015.
2. This court finds that this application is a subsequent application filed after final disposition of an initial application as defined under Tex. Crim. Proc. Code. Ann. Art. 11.07 (4)(a).
3. The court finds that this application does not comply with the requirements of Tex. Crim. Proc. Code Ann. Art. 11.07(4).
4. Applicant has not alleged facts showing an inability to raise the issues in the instant application in his previous applications because the factual or legal basis for the claim was unavailable on the date the previous applications were filed. Nor has he proven by a preponderance of the evidence that but for a violation of the United States

Constitution, no rational juror could have found him guilty beyond a reasonable doubt.

5. The Court finds Applicant has failed to establish an exception to section 4's procedural bar. *See Tex. Code Crim. Proc. Ann. art. 11.07, §4.*
6. This Court therefore concludes that Applicant's claims are procedurally barred and that this Court may not consider the merits of or grant relief based on this subsequent application.

COURT'S RECOMMENDATION

This Court recommends that this Application for Writ of Habeas Corpus be DISMISSED as a subsequent writ.

ORDERS OF THE COURT

The Clerk of this Court is ordered to send a copy of this order to the Applicant, Stephen Lynn Buggs, and to counsel for the State by placing it in the U.S. mail.

It is further ordered that the Clerk of this Court shall immediately prepare a transcript of papers in this cause and transmit to the Court of Criminal Appeals in Austin, Texas a copy of this order and the Findings of Fact and Conclusions of Law, including the judgment and indictment, all plea papers, if any, and the Court of Appeals opinion, if any, to the Court of Criminal Appeals as provided by TEX. CODE CRIM. PROC. ART. 11.07.

SIGNED AND ENTERED ON December 11, 2024

Lela Lawrence Mays
JUDGE LELA LAWRENCE MAYS
283RD JUDICIAL DISTRICT COURT
DALLAS COUNTY, TEXAS

W06-86342-(T)B

EX PARTE § **IN THE 283RD JUDICIAL**
STEPHEN LYNN BUGGS § **DISTRICT COURT**
APPPLICANT § **DALLAS COUNTY, TEXAS**

FINDINGS OF FACT AND CONCLUSIONS OF LAW ON
APPLICATION FOR WRIT OF HABEAS CORPUS

On this day came to be considered Applicant's Application for Writ of Habeas Corpus and the State's Response. Having considered these pleadings and the official court records, this court enters the following findings of fact and conclusions of law:

HISTORY OF THE CASE

Applicant was charged by indictment with the offense of aggravated kidnapping. Two prior felony offenses were alleged for enhancement purposes. Applicant entered a plea of not guilty and proceeded with a trial by jury. The jury found him guilty of the charged offense, found the enhancement paragraphs true, and sentenced him to 60 years' incarceration in the Texas Department of Criminal Justice, Institutional Division. Applicant's conviction was affirmed on direct appeal.

This is Applicant's second application for habeas relief in this cause pursuant to Article 11.07. Applicant's first writ was denied on August 26,

2015.

ISSUES RAISED IN APPLICATION

Applicant alleges five grounds of relief: (1) the trial court violated his right to be present during voir dire, (2) he was denied the effective assistance of counsel, (3) the State withheld information about the benefit that co-defendant Sheryn Villanueva would receive for testifying against Applicant at his trial, in violation of *Brady v. Maryland*, (4) a conflict of interest existed because Applicant and his co-defendant were previously represented by two attorneys who were members of the District Attorney's Office in supervisory roles at the time of Applicant's trial; and (5) trial counsel refused to turn over his file as requested.

RELEVANT LAW

Article 11.07 (4) of the Texas Code of Criminal Procedures provides:

(a) If a subsequent application for writ of habeas corpus is filed after final disposition of an initial application challenging the same conviction, a court may not consider the merits of or grant relief based on the subsequent application unless the application contains sufficient specific facts establishing that:

(1) the current claims and issues have not and could not have been presented previously in an original application or in a previously considered application filed under this article because the factual or legal basis for the claim was unavailable on the date the applicant filed the previous application; or

(2) by a preponderance of the evidence, but for a violation of the United States Constitution no rational juror could have found the applicant guilty beyond a reasonable doubt.

(b) For purposes of Subsection (a)(1), a legal basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the legal basis was not recognized by and could not have been reasonably formulated from a final decision of the United States Supreme Court, a court of appeals of the United States, or a court of appellate jurisdiction of this state on or before that date.

(c) For purposes of Subsection (a)(1), a factual basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the factual basis was not ascertainable through the exercise of reasonable diligence on or before that date.

TEX. CODE CRIM. PROC. ANN. art. 11.07, § 4.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Applicant's first application was denied on the merits by the Court of Criminal Appeals on August 26, 2015.
2. This court finds that this application is a subsequent application filed after final disposition of an initial application as defined under Tex. Crim. Proc. Code. Ann. Art. 11.07 (4)(a).
3. The court finds that this application does not comply with the requirements of Tex. Crim. Proc. Code Ann. Art. 11.07(4).
4. Applicant has not alleged facts showing an inability to raise the issues in the instant application in his previous applications because the factual or legal basis for the claim was unavailable on the date the previous applications were filed. Nor has he proven by a preponderance of the evidence that but for a violation of the United

States Constitution, no rational juror could have found him guilty beyond a reasonable doubt.

5. The Court finds Applicant has failed to establish an exception to section 4's procedural bar. *See Tex. Code Crim. Proc. Ann. art. 11.07, §4.*
6. This Court therefore concludes that Applicant's claims are procedurally barred and that this Court may not consider the merits of or grant relief based on this subsequent application.

COURT'S RECOMMENDATION

This Court recommends that this Application for Writ of Habeas Corpus be DISMISSED as a subsequent writ.

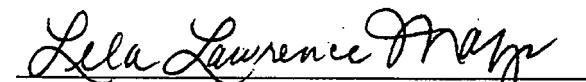
ORDERS OF THE COURT

The Clerk of this Court is ordered to send a copy of this order to the Applicant and to counsel for the State by placing it in the U.S. mail.

It is further ordered that the Clerk of this Court shall immediately prepare a transcript of papers in this cause and transmit to the Court of Criminal Appeals in Austin, Texas a copy of this order and the Findings of Fact and Conclusions of Law, including the judgment and indictment, all plea

papers, if any, and the Court of Appeals opinion, if any, to the Court of
Criminal Appeals as provided by TEX. CODE CRIM. PROC. ART. 11.07.

SIGNED AND ENTERED ON December 12, 2024


JUDGE LELA LAWRENCE MAYS
283RD JUDICIAL DISTRICT COURT
DALLAS COUNTY, TEXAS

W06-86343-(T)C

EX PARTE § **IN THE 283RD JUDICIAL**
STEPHEN LYNN BUGGS § **DISTRICT COURT**
APPLICANT § **DALLAS COUNTY, TEXAS**

FINDINGS OF FACT AND CONCLUSIONS OF LAW ON
APPLICATION FOR WRIT OF HABEAS CORPUS

On this day came to be considered Applicant's Application for Writ of Habeas Corpus and the State's Response. Having considered these pleadings and the official court records, this court enters the following findings of fact and conclusions of law:

HISTORY OF THE CASE

Applicant was charged by indictment with the offense of compelling prostitution. Two prior felony offenses were alleged for enhancement purposes. Applicant entered a plea of not guilty and proceeded with a trial by jury. The jury found him guilty of the charged offense, found the enhancement paragraphs true, and sentenced him to 75 years' incarceration in the Texas Department of Criminal Justice, Institutional Division. Applicant's conviction and sentence were affirmed on direct appeal.

This is Applicant's third application for habeas relief in this cause pursuant to Article 11.07. Applicant's first writ was denied on August 26,

2015. Applicant's second writ was dismissed as a subsequent application on April 5, 2023.

ISSUES RAISED IN APPLICATION

Applicant alleges five grounds of relief: (1) the trial court violated his right to be present during voir dire, (2) he was denied the effective assistance of counsel, (3) the State withheld information about the benefit that co-defendant Sheryn Villanueva would receive for testifying against him at his trial, in violation of *Brady v. Maryland*; (4) a conflict of interest existed because he and his co-defendant were previously represented by two attorneys who were members of the District Attorney's Office in supervisory roles at the time of Applicant's trial; and (5) trial counsel refused to turn over his file as requested.

RELEVANT LAW

Article 11.07 (4) of the Texas Code of Criminal Procedures provides:

(a) If a subsequent application for writ of habeas corpus is filed after final disposition of an initial application challenging the same conviction, a court may not consider the merits of or grant relief based on the subsequent application unless the application contains sufficient specific facts establishing that:

(1) the current claims and issues have not and could not have been presented previously in an original application or in a previously considered application filed under this article because the factual or legal basis for the claim was unavailable on the date the applicant filed the previous application; or

(2) by a preponderance of the evidence, but for a violation of the United States Constitution no rational juror could have found the applicant guilty beyond a reasonable doubt.

(b) For purposes of Subsection (a)(1), a legal basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the legal basis was not recognized by and could not have been reasonably formulated from a final decision of the United States Supreme Court, a court of appeals of the United States, or a court of appellate jurisdiction of this state on or before that date.

(c) For purposes of Subsection (a)(1), a factual basis of a claim is unavailable on or before a date described by Subsection (a)(1) if the factual basis was not ascertainable through the exercise of reasonable diligence on or before that date.

TEX. CODE CRIM. PROC. ANN. art. 11.07, § 4.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Applicant's first application was denied on the merits by the Court of Criminal Appeals on August 26, 2015.
2. Applicant's second application was dismissed as a subsequent writ on April 5, 2023.
3. Applicant made the same factual claims asserted in the instant writ in his previous applications for writ of habeas corpus. The allegations were denied on their merits and subsequently dismissed as a subsequent writ.
4. The Court finds that Applicant's writ application does not state the required facts under article 11.07 § 4(a), the above said subsequent writ is procedurally barred and Applicant has failed to meet his burden of proof by a preponderance of the evidence.

5. This court finds that this application is a subsequent application filed after final disposition of an initial application as defined under Tex. Crim. Proc. Code. Ann. Art. 11.07 (4)(a).
6. The Court finds Applicant has failed to establish an exception to section 4's procedural bar. *See* Tex. Code Crim. Proc. Ann. art. 11.07, §4.
7. This Court therefore concludes that Applicant's claims are procedurally barred and that this Court may not consider the merits of or grant relief based on this subsequent application.

COURT'S RECOMMENDATION

This Court recommends that this Application for Writ of Habeas Corpus be DISMISSED as a subsequent writ.

ORDERS OF THE COURT

The Clerk of this Court is ordered to send a copy of this order to the Applicant, Stephen Lynn Buggs, and to counsel for the State by placing it in the U.S. mail.

It is further ordered that the Clerk of this Court shall immediately prepare a transcript of papers in this cause and transmit to the Court of Criminal Appeals in Austin, Texas a copy of this order and the Findings of Fact and Conclusions of Law, including the judgment and indictment, all plea papers, if any, and the Court of Appeals opinion, if any, to the Court of Criminal Appeals as provided by TEX. CODE CRIM. PROC. ART. 11.07.

SIGNED AND ENTERED ON December 11, 2024


JUDGE LELA LAWRENCE MAYS