



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. WR-78,107-02

EX PARTE KOSOUL CHANTHAKOUMMANE, Applicant

**ON APPLICATION FOR POST-CONVICTION WRIT OF HABEAS CORPUS
IN CAUSE NO. W380-81972-07-HC2 IN THE 380TH DISTRICT COURT
COLLIN COUNTY**

Per curiam.

ORDER

We have before us a post-conviction application for a writ of habeas corpus filed pursuant to the provisions of Texas Code of Criminal Procedure Article 11.071 § 5.

In October 2007, a jury convicted applicant of the offense of capital murder for murdering a person in the course of committing or attempting to commit robbery. TEX. PENAL CODE § 19.03(a)(2). Specifically, applicant was convicted of murdering and robbing real estate agent Sarah Walker in the D. R. Horton model home where she worked in the “Craig Ranch” subdivision in McKinney, Texas. The jury answered the special issues

submitted pursuant to Texas Code of Criminal Procedure Article 37.071, and the trial court, accordingly, set punishment at death. This Court affirmed applicant's conviction and sentence on direct appeal. *Chanthakoummane v. State*, No. AP-75,794 (Tex. Crim. App. Apr. 28, 2010)(not designated for publication). On April 5, 2010, applicant filed in the convicting court his initial post-conviction application for a writ of habeas corpus in which he raised twelve claims. This Court denied applicant relief. *Ex parte Chanthakoummane*, No. WR-78,107-01 (Tex. Crim. App. Jan. 30, 2013)(not designated for publication).

On January 13, 2017, applicant filed in the convicting court his first subsequent application. In the subsequent application, applicant asserts that (1) the State used multiple discredited forensic sciences to convict him; (2) the State introduced false, misleading, or scientifically invalid testimony to convict him; (3) the State deprived him of a fundamentally fair trial when it introduced discredited forensic sciences that contributed to the jury's culpability and sentencing verdicts; and (4) the State is violating his constitutional rights by continuing to imprison him and seeking to execute him when he is actually innocent.

After reviewing applicant's writ application, we find that he has satisfied the requirements of Article 11.071 § 5. Accordingly, his writ application is remanded to the trial court for review of the issues raised. Applicant's execution is stayed pending the resolution of the habeas application.

IT IS SO ORDERED THIS THE 7TH DAY OF JUNE, 2017.

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