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[PC] IN THE COURT OF CRIMINAL APPEALS OF TEXAS NO. WR-78,043-02 EX PARTE ANTONIOUS CUNNINGHAM, Applicant ON APPLICATION FOR A WRIT OF HABEAS CORPUS CAUSE NO. 2005CR1215B IN THE 54TH DISTRICT COURT FROM MCLENNAN COUNTY Per curiam. O R D E R 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 this application for a writ of habeas corpus. Ex parte Young, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of aggravated robbery and sentenced to ninety-nine years' imprisonment. The Third Court of Appeals affirmed his conviction. Cunningham v. State, No. 03-08-00171-CR (Tex. App. - Austin, delivered November 2, 2009, pet. ref'd). Applicant contends, inter alia, that trial counsel rendered ineffective assistance for failing to timely file a notice of appeal. Applicant has alleged facts that, if true, might entitle him to relief. Strickland v. Washington, 466 U.S. 608 (1984); Ex parte Lemke, 13 S.W.3d 791,795-96 (Tex. Crim. App. 2000). In these circumstances, additional facts are needed. As we held in Ex parte Rodriguez, 334 S.W.2d 294, 294 (Tex. Crim. App. 1960), the trial court is the appropriate forum for findings of fact. The trial court shall provide Applicant's trial counsel with the opportunity to respond to Applicant's claim of ineffective assistance of counsel on appeal. The trial court may use any means set

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out in Tex. Code Crim. Proc. art. 11.07, § 3(d). In the appropriate case, the trial court may rely on its personal recollection. Id. If the trial court elects to hold a hearing,

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