



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

NO. WR-70,963-02

EX PARTE JUAN RAMON MEZA SEGUNDO, Applicant

**ON APPLICATION FOR POST-CONVICTION WRIT OF HABEAS CORPUS
AND MOTION TO STAY THE EXECUTION IN CAUSE NO. C-3-W011370-
0974988-B IN CRIMINAL DISTRICT COURT NUMBER THREE
TARRANT 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 and a motion to stay applicant's execution.

In December 2006, a jury convicted applicant of the August 1986 offense of capital murder for murdering a person in the course of committing or attempting to commit aggravated sexual assault or burglary of a habitation. TEX. PENAL CODE § 19.03(a)(2). 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.

Segundo v. State, 270 S.W.3d 79 (Tex. Crim. App. 2008).

On October 17, 2008, applicant timely filed in the trial court his initial post-conviction application for a writ of habeas corpus in which he raised thirteen claims, including a claim that he is intellectually disabled and, therefore, ineligible for execution. This Court denied applicant relief on the claims raised in his initial writ application. *Ex parte Segundo*, No. WR-70,963-01 (Tex. Crim. App. Dec. 8, 2010)(not designated for publication).

On September 25, 2018, applicant filed in the convicting court his first subsequent application. In this application, applicant again asserts that he is intellectually disabled and, therefore, ineligible to be executed. On March 28, 2017, the United States Supreme Court issued *Moore v. Texas*, 137 S. Ct. 1039, 1044 (2017). In light of the *Moore* decision and the facts presented in applicant's application, we have determined that applicant's execution should be stayed pending further order of this Court.

IT IS SO ORDERED THIS THE 5th DAY OF OCTOBER, 2018.

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