



## IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. WR-16,884-03

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**EX PARTE JOHN HENRY SELVAGE, Applicant**

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**ON APPLICATION FOR A WRIT OF HABEAS CORPUS IN  
CAUSE NO. 305495-C IN THE 230<sup>TH</sup> DISTRICT COURT  
HARRIS COUNTY**

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*Per Curiam.*

### ORDER

In 1980, a jury convicted applicant of capital murder. In accordance with the jury's answers to the punishment issues, the trial court assessed punishment at death. This Court affirmed applicant's conviction and sentence. *Selvage v. State*, 680 S.W.2d 17 (Tex. Crim. App. 1984). Applicant was thereafter denied relief in state and federal applications for post-conviction habeas corpus. In 1993, applicant filed a subsequent habeas application in the convicting court.

The trial court sent to this Court findings that a writ was pending in the trial court and

that applicant had died on November 2, 2011. Further, the court recommended that the writ application be dismissed. The finding of death is confirmed by a copy of applicant's death certificate.

Because the death of a defendant deprives this Court of jurisdiction, we dismiss the writ application.

IT IS SO ORDERED THIS THE 12<sup>TH</sup> DAY OF SEPTEMBER, 2012.

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