



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

NO. WR-56,955-03

IN RE HONORABLE GARY FITZSIMMONS

**ORDER TO APPEAR AND SHOW CAUSE FROM
DALLAS COUNTY**

Per Curiam.

ORDER

On November 16, 2011, this Court issued an order requiring the Respondent, Dallas County District Clerk Gary Fitzsimmons, to respond within 10 days with an affidavit stating facts denying or excusing his contempt arising from the failure to timely answer this Court's orders. An Assistant District Attorney sent a timely letter explaining that the Respondent was out of the county "and unable to get an affidavit to the Court." Respondent's untimely response did not explain why he was unable to submit a timely response and did not state facts denying or explaining his repeated failure to respond to this Court's orders in a timely fashion.

Before we take any action pursuant to our show cause order of November 16, 2011, we want to hear from Respondent in person. Therefore, we order Respondent to appear before this Court at 9:00 a.m. on Wednesday, March 7, 2012, to offer further explanation and address any questions propounded by the Court about the matter.

It is further ordered by this Court that the Clerk of this Court shall issue Notice to Appear and Show Cause commanding the Honorable Gary Fitzsimmons to appear and show cause, in the manner and within the time specified in this order, why he should not be sanctioned by this Court for failing to adequately and timely answer this Court's orders. A copy of this Order shall accompany the Notice.

IT IS SO ORDERED THIS THE 31st DAY OF January, 2012.

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