



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-71,532-02

PATRICK HENRY MOEHLE, Relator

v.

GILLESPIE COUNTY DISTRICT CLERK, Respondent

**ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NOS. 3254 & 3410 IN THE 216TH DISTRICT COURT
FROM GILLESPIE COUNTY**

Per curiam.

ORDER

Relator has filed a motion for leave to file a writ of mandamus pursuant to the original jurisdiction of this Court. In it, he contends that he filed applications for a writ of habeas corpus in the 216th District Court of Gillespie County, that more than 35 days have elapsed, and that the applications have not yet been forwarded to this Court.

In these circumstances, additional facts are needed. Respondent, the District Clerk of Gillespie County, is ordered to file a response, which may be made by submitting the record on such

habeas corpus applications, submitting copies of timely filed orders that designate issues to be investigated (*see McCree v. Hampton*, 824 S.W.2d 578, 579 (Tex. Crim. App. 1992)), or stating that Relator has not filed applications for a writ of habeas corpus in Gillespie County. Should the response include orders designating issues, proof of the date the district attorney's office was served with the habeas applications shall also be submitted with the response. This application for leave to file a writ of mandamus shall be held in abeyance until Respondent has submitted the appropriate response. Such response shall be submitted within 30 days of the date of this order.

Filed: December 12, 2012
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