

NO. 07-03-0120-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
MARCH 12, 2003

IN RE JAMES WARREN BRIGHT,
Relator

ORIGINAL PROCEEDING IN MANDAMUS

Before QUINN and REAVIS, JJ., and BOYD, S.J.¹

Pending before the court is a petition for writ of mandamus filed by James Warren Bright. He seeks an order from this court “directing the Respondent, the Honorable Cecil Puryear, [___ Judicial District (the trial court)] to vacate his original order denying appointment of counsel for post conviction DNA testing and for appointment of counsel on appeal” We deny the petition, without prejudice, for the following reasons.

First, Bright did not accompany his petition with the requisite filing fee. Nor did he state in the application that he was indigent. Second, he failed to verify all factual statements in his petition as required by Texas Rule of Appellate Procedure 52.3. Nor did he accompany the petition with an appendix of any kind, much less one containing a certified or sworn copy of the order about which he complains, as required by Rule 52.3(j).

¹John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. Tex. Gov’t Code Ann. §75.002(a)(1) (Vernon Supp. 2003).

Accordingly, the petition for writ of mandamus is denied without prejudice.

Brian Quinn
Justice