

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00253-CR

Michael Emack, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF SCHLEICHER COUNTY, 51ST JUDICIAL DISTRICT
NO. 993, HONORABLE BARBARA L. WALTHER, JUDGE PRESIDING**

ORDER

PER CURIAM

Appellant Michael Emack filed a motion asking the Court to order the Schleicher County District Clerk to show cause for her failure to prepare and file a supplemental clerk's record as requested by appellant. The State filed a response opposing the motion. Appellant has now filed a motion re-urging his motion to supplement.

The motion for a show-cause order is overruled, but the motions to supplement are granted. The district clerk is ordered to prepare a supplemental clerk's record containing copies of all documents on file under cause numbers M-08-001-S and M-08-002-S.¹ This supplemental record shall be tendered for filing not later than thirty days after the date of this order.

¹ The reporter's record in this appeal already contains a hearing conducted under these cause numbers on April 9, 2008.

This order shall not be construed as expressing any opinion on the merits of the parties' arguments regarding whether the documents at issue are a proper part of the record in this cause. Upon submission, the Court will, if necessary, determine whether it is proper to consider the documents in deciding this appeal.

It is ordered March 16, 2011.

Before Chief Justice Jones, Justices Henson and Goodwin

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