



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-49,344-02

EX PARTE TYROME DEWAYNE ALBERT, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. W97-02387-U(B) IN THE 291ST DISTRICT COURT
FROM DALLAS COUNTY**

Per curiam.

ORDER

Pursuant to the provisions of Article 11.07 of the Texas Code of Criminal Procedure, the clerk of the trial court transmitted to this Court this application for a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of the offense of capital murder and sentenced to imprisonment for life.

The trial court signed findings of fact and conclusions of law, recommending that the writ application be dismissed as subsequent. However, the habeas record received by this Court does not include the pages of the 11.07 form containing Grounds 1 and 2. We remand this application to the 291st District Court of Dallas County for specific findings as to whether the writ application included Grounds 1 and 2, submitted on the applicable form. If the court finds that these pages of the 11.07

form were filed, but not included in the habeas record forwarded to this Court, the court shall order the district clerk to supplement the record with the missing pages.

This application will be held in abeyance until the trial court has resolved this issue, which shall be resolved within 30 days of this order. A supplemental transcript containing any additional pages from the habeas record shall be forwarded to this Court within 60 days of the date of this order. Any extensions of time shall be obtained from this Court.

Filed: May 7, 2014
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