



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-60,680-02

IN RE RUBEN GARCES MORENO, Relator

**ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NO. F-0251303 IN CRIMINAL DISTRICT COURT NO. 4
FROM DALLAS 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 an application for a writ of habeas corpus in Criminal District Court No. 4 of Dallas County, that more than 35 days have elapsed, and that the application has not yet been forwarded to this Court.

In these circumstances, additional facts are needed. Respondent, the District Clerk of Dallas County, is ordered to file a response. If the trial court entered an order designating issues, Respondent has a ministerial duty to immediately forward a copy of that order and proof of the date the State received Relator's application. TEX. R. APP. P. 73.4(b)(1). Respondent may also submit

the record on such habeas corpus application or state that Relator has not filed an application for a writ of habeas corpus in Dallas County. 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: June 25, 2014

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