



**IN THE COURT OF CRIMINAL APPEALS  
OF TEXAS**

**NOS. PD-1039-12 & PD-1040-12**

**MARQUISE DEMON RUSSELL, Appellant**

**v.**

**THE STATE OF TEXAS**

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW  
FROM THE TWELFTH COURT OF APPEALS  
SMITH COUNTY**

**Per curiam. Keasler, and Hervey, J.J., dissent.**

**ORDER**

The petition for discretionary review violates Rule of Appellate Procedure 9.3 (b) and 68.4(I) because the original petition is not accompanied by 11 copies and the petition does not contain a copy of the opinion of the court of appeals

The petition is struck. See Rule of Appellate Procedure 68.6.

The petitioner may redraw the petition. The redrawn petition and copies must be filed in the Court of Criminal Appeals within thirty days after the date of this order.

En banc.

Delivered: October 10, 2012

Do Not Publish.