



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

NO. WR-40,738-05

CHIANTI M. JOHNSON, Relator

v.

HON. JIM WALLACE, JUDGE OF THE 263rd DISTRICT COURT, Respondent

**ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NO. 837864-B
FROM HARRIS COUNTY**

Per curiam.

ORDER

Relator has filed a motion for leave to file an application for 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 the 263rd District Court of Harris County, that more than 35 days have elapsed, and that the application has not yet been forwarded to this Court. Relator contends that the district court signed an order designating issues on August 10, 2011.

Respondent, the Judge of the 263rd District Court of Harris County, shall file a response with this Court by having the District Clerk submit the record on such habeas corpus application. In the

alternative, Respondent may resolve the issues set out in the order designating issues and then have the District Clerk submit the record on such application. In either case, Respondent's answer shall be submitted within 30 days of the date of this order. This application for leave to file a writ of mandamus will be held in abeyance until Respondent has submitted his response.

Filed: February 6, 2013
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