



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

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**NO. WR-65,427-02**

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**FRANKIE LANE POLK, Relator**

**v.**

**HON. MARK KENT ELLIS, JUDGE OF THE 351ST DISTRICT COURT, Respondent**

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**ON APPLICATION FOR A WRIT OF MANDAMUS  
CAUSE NO. 1175958  
FROM HARRIS COUNTY**

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*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 351st 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 entered an order designating issues on August 31, 2011.

Respondent, the Judge of the 351st 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: September 12, 2012

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