



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

NO. WR-76,925-02

MARCEY LEVERT HAYES, Relator

v.

DALLAS COUNTY DISTRICT CLERK, Respondent

**ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NOS. F84-74487-Q, F84-74815-RQ, F84-74816-RQ,
AND F84-91540-RQ IN THE 204TH DISTRICT COURT
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 four applications for writs of habeas corpus in the 204th District Court of Dallas County concerning four convictions in cause numbers F84-74487-Q, F84-74815-RQ, F84-74816-RQ, and F84-91540-RQ, that more than 35 days have elapsed, and that the applications have 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, which may be made by submitting the four records on such habeas corpus applications, submitting a copy of a timely filed order that designates issues to be investigated in the application or applications (*see McCree v. Hampton*, 824 S.W.2d 578, 579 (Tex. Crim. App. 1992)), or stating that Relator has not filed the application or applications for writs of habeas corpus in Dallas County. Should the response include an order designating issues, proof of the date the district attorney's office was served with the habeas application or applications shall also be submitted with the response. 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: October 24, 2012
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