



# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. WR-77,897-02

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IN RE ANTOINE LAMONT SMITH, Relator

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ON APPLICATION FOR A WRIT OF MANDAMUS  
CAUSE NO. W05-55554-K(A)  
FROM DALLAS 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 a supplemental application for a writ of habeas corpus on January 29, 2013, in the Criminal District Court No. 4 of Dallas County raising an actual innocence claim based on a statement from Jeramie Dotsy that reads, "I committed this crime and [Relator] had nothing to do with it." Relator had previously filed a writ application attacking his murder conviction that was forwarded to this Court from Dallas County, and its resolution remains pending. Relator indicates that the State filed a response to his supplemental actual innocence claim on May 2, 2013. No supplemental writ record or other material regarding the supplemental actual innocence claim has been received by this Court.

Respondent, the Judge of the Criminal District Court No. 4 of Dallas County, shall file a response with this Court regarding the status of the supplemental actual innocence claim. Alternatively, Respondent may order the District Clerk to submit the record on the supplemental actual innocence claim, along with the trial court findings regarding it, to this Court. Respondent's answer shall be submitted within 90 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: October 23, 2013  
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