



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

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**NO. WR-78,113-01**

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**EX PARTE HUMBERTO GARZA**

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**ON APPLICATION FOR POST-CONVICTION WRIT OF HABEAS CORPUS  
CAUSE NO. CR-3175-04-G IN THE 370<sup>TH</sup> DISTRICT COURT  
HIDALGO COUNTY**

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*Per Curiam.*

**ORDER**

In March 2005, a jury found applicant guilty of the offense of capital murder. The jury answered the statutory punishment questions in such a way that the trial court set applicant's punishment at death. On March 6, 2007, the State filed in this Court its brief on applicant's direct appeal. Pursuant to Article 11.071 §§ 4(a) and (b)<sup>1</sup>, applicant's

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<sup>1</sup> Unless otherwise indicated all references to Articles refer to the Code of Criminal Procedure.

initial application for a writ of habeas corpus was due to be filed in the trial court on or before July 19, 2007, assuming a motion for extension was timely filed and granted. It has been more than four years since the application was due in the trial court.

Accordingly, we order the trial court to resolve any remaining issues within 90 days from the date of this order. The clerk shall then transmit the complete writ record to this Court within 120 days from the date of this order. Any extensions of time shall be obtained from this Court.

IT IS SO ORDERED THIS THE 1<sup>ST</sup> DAY OF AUGUST, 2012.

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