



# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. WR-79,656-03

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IN RE ROBERT JASON LOGAN, Relator

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ON APPLICATION FOR A WRIT OF MANDAMUS  
CAUSE NOS. CR-25976-A & CR-28367-B IN THE 75TH DISTRICT COURT  
FROM LIBERTY COUNTY

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*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 applications for a writ of habeas corpus in the 75th District Court of Liberty County and that the District Clerk has not complied with Article 11.07, § 7, of the Code of Criminal Procedure.

On November 27, 2013, we held this application in abeyance and ordered the District Clerk to respond and state whether she complied with § 7. On December 9, we received a response. A deputy in the District Clerk's Office stated that her office policy is to send inmates copies of documents "ordered" to be sent. Regardless of whether documents are "ordered" to be sent, the

District Clerk has a ministerial duty under § 7 to mail or deliver to an applicant copies of answers, motions, pleadings, and orders. TEX. CODE CRIM. PROC. art. 11.07, § 7. We are also unable to determine from the deputy's response whether the District Clerk has complied with § 7. The deputy stated that both of Relator's Article 11.07 applications contain the State's waiver of notice and an order "directing evidence on controverted, unresolved facts." The deputy said she therefore believed she had complied with § 7. The deputy shall file a second response and state what orders, if any, she has sent to Relator in response to his Article 11.07 applications. 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: December 18, 2013  
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