



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-80,309-01

IN RE MARCUS EVERETTE HARPER, Relator

**ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NOS. 9409133-A & 9411708-A
IN THE 338TH DISTRICT COURT
FROM HARRIS COUNTY**

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 applications for writs of habeas corpus in the 338th District Court of Harris County, that more than 35 days have elapsed, and that the applications have not yet been forwarded to this Court. Relator contends that the district court entered orders designating issues on February 17, 2010.

Respondent, the Judge of the 338th District Court of Harris County, shall file a response with this Court by having the District Clerk submit the records on such habeas corpus applications. In the alternative, Respondent may resolve the issues set out in the orders designating issues and then

have the District Clerk submit the records on such applications. 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: November 6, 2013

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