



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-80, 596-01

EX PARTE ASHLEY CHARLES BURRELL, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. CR28712-A IN THE 75TH DISTRICT COURT
FROM LIBERTY COUNTY**

Per curiam.

ORDER

Pursuant to the provisions of Article 11.07 of the Texas Code of Criminal Procedure, the clerk of the trial court transmitted to this Court this application for a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of aggravated robbery and sentenced to imprisonment for seventy-four years.

Regarding the claims Applicant raises in his habeas application, the trial court, on October 30, 2013, signed an order designating issues, but it does not appear the designated issues have been resolved because there are no findings in the habeas record provided to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07 § 3. Because it appears that the habeas record has been forwarded prematurely, this Court remands the application to the 75th District Court of Liberty County to allow

the trial judge to complete an evidentiary investigation and enter findings of fact and conclusions of law.

This application will be held in abeyance until the trial court has resolved the fact issues. The issues shall be resolved within 90 days of this order. A supplemental transcript containing all affidavits and interrogatories or the transcription of the court reporter's notes from any hearing or deposition, along with the trial court's supplemental findings of fact and conclusions of law, shall be forwarded to this Court within 120 days of the date of this order. Any extensions of time shall be obtained from this Court.

Filed: December 18, 2013
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