



IN THE
TENTH COURT OF APPEALS

No. 10-08-00309-CR

IN RE RICHARD FRANKLIN

Original Proceeding

MEMORANDUM OPINION

Richard Franklin filed a petition for writ of mandamus against the trial judge of the 87th District Court of Freestone County. It appears from the petition that in June of this year, Franklin filed a motion nunc pro tunc with the trial court asking for pre and post sentencing jail time credit. Franklin now requests this Court to compel the trial court to grant Franklin's motion nunc pro tunc for jail time credit. This, we cannot do. *See State ex rel. Curry v. Gray*, 726 S.W.2d 125, 128 (Tex. Crim. App. 1987).

Accordingly, Franklin's petition is denied.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Vance, and
Justice Reyna

Petition denied

Opinion delivered and filed September 17, 2008

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[OT06]