



NUMBERS 13-08-00352-CR & 13-08-00353-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE BEVY LEE WILSON

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

Before Justices Yañez, Rodriguez, and Vela
Memorandum Opinion Per Curiam

Relator, Bevy Lee Wilson, pro se, filed a petition for writ of mandamus in the above causes on May 30, 2008, asking this Court to direct the court reporter and county clerk of Nueces County to provide relator with copies of the court reporter's record and clerk's records in trial court cause numbers 03-CR-430-B and 02-CR-830-B, originating from the 117th District Court of Nueces County, Texas. This Court has previously affirmed relator's conviction for capital murder. See *Wilson v. State*, No. 13-05-00279-CR, 2007 Tex. App. LEXIS 7173, *21 (Tex. App.—Corpus Christi Aug. 30, 2007, pet. ref'd) (mem. op., not designated for publication); see also *Wilson v. State*, No. 13-05-280-CR, 2007 Tex. App. LEXIS 7181 (Tex. App.—Corpus Christi Aug. 30, 2007, no pet.) (mem. op., not designated

for publication) (dismissing appeal of judgment revoking community supervision and adjudication of guilty for want of jurisdiction). We deny the petition for writ of mandamus for the reasons stated herein.

First, the petition for writ of mandamus fails to comply with the Texas Rules of Appellate Procedure. See *generally* TEX. R. APP. P. 52.3. Second, as a general rule, an indigent criminal defendant is not entitled to a free transcription of prior proceedings for use in pursuing post-conviction habeas relief. *In re Trevino*, 79 S.W.3d 794, 796 (Tex. App.–Corpus Christi 2002, orig. proceeding); see *In re Coronado*, 980 S.W.2d 691, 693 (Tex. App.–San Antonio 1998, orig. proceeding) (requiring an indigent criminal defendant to show that the habeas corpus action is not frivolous and there is a specific need for the trial records which are sought); *Escobar v. State*, 880 S.W.2d 782, 783 (Tex. App.–Houston [1st Dist.] 1993, order); *Eubanks v. Mullin*, 909 S.W.2d 574, 576-77 (Tex. App.–Fort Worth 1995, orig. proceeding); see also *In re Evans*, No. 13-0800151-CR, 2008 Tex. App. LEXIS ____, * __ (Tex. App.–Corpus Christi ____, __, 2008, orig. proceeding) (per curiam) (mem. op., not designated for publication).

The Court, having examined and fully considered the petition for writ of mandamus, is of the opinion that relator has not shown himself entitled to the relief sought, and the petition for writ of mandamus should be denied. See Tex. R. App. P. 52.8. Accordingly, the petition for writ of mandamus is DENIED.

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered
and filed this the 26th day June, 2008.