For & Into the Texas Courtof Criminal Appeals
And for its Justices, At Austin Texas

11,880-12

Bobby Joe Shaw Pro Se
Appellant-Applicant

Versus,

Eddie D.Baker,Warden/Custodian of Record,for Brad Livingston, Executive Director of TDCJ ICD, et PRESIDING Judge of theJudicial District Court of McLennan, County,Texas(unknown name?),et al, Respondent(s)/Intruders

This document contains some pages that are of poor quality at the time of imaging.

In and for the Judical District Court of McLennanCounty,of tthe-State of Texas and for the Texas Court of Criminal Appeals At - Austin Texas;Justices

RECEIVED IN
COURT OF CRIMINAL APPEALS
JUL 09 2015
Abel Acosta, Clerk

Applicant's Request for A Writ of Mandamus,And Compulusory Counter Claim, Charge-Against-An Alleged Judge,Matt Johnson,An unknown Abelino(Abel)-Reyna's Agent As State Respondent and Intervener/Intruder(s),etc

To The Said Texas Court of Criminal Appeals Justices,Trial Court's sitting or acting Presiding judge,and intrinsic Court Factors/Interveners,Please take legal and Judicial Notice of [Your]Applicant-Relator,herein,and **his** reasons for-the issuance of a writ of mandamus,and counter-claim(s) to illegal and unlawfull intervention by a **Matt Johnson**,an intruder,clearly out side of **it's** jurisdiction over the subject-matter,and Parties of interest.Along with **his** assitance acting for the assumption of Abel Reyna,criminal district attorney to,or for - McLennan County,assuming to the State of Texas,and as an unidentifiable Agent-supposely for Reyna,and their submitted illegal motion practice brief,"entitled **EX PARTE BOBBY JOE SHAW'-;'STATE'S ANSWER TO AN APPLICATION FOR WRIT OF HABEAS CORPUS"**...And submitted illegal improper motion-practice brief in **defiance** of of the Truth.As that unlawful intervener's proposal of statements omits what - was[Applicant's]Relator's grounds of error of law raised in **his** submitted proposed findings of facts and conclusions of law,"within said memorandum of law - and it's 9-pages of facts,arguments,points,legal and precedent citations insupport of Applicant's want of issuance of the writ of habeas corpus,ad testificandum,want of jurisdiction and summary judgment upon **his** pleadings...Inwhich,**his** memorandum is grounded on **his** issue presented as:

"There Is No-Extant True Bills Of Indictment-Trial Court's Judge-Lacked Subject-Matter Jurisdiction,Rendered Judgment Is Void Ab Initio.

This ground raised by Applicant was ignored and discarded by whoever,as trial-Court's officils are,and totally engaged in conspiring to deprive this Writer-Applicant of **his** absolute rights to legal and substantial due process of law,-and the Equal Protection of the laws,as guaranteed pursuant to the **fourteenth-Amendment,Clause 1,to the United States Constitution of America.**As well as the Article I,§§ 10,12,13,16,19,29 of the Texas Constitution.See also Applicant's - attached exhibitations.Such as **his indictment** exhibit as 1-A,& 1-B;& void judgment Order(exhibits 2-C,2-D,2-E;1-C,& 1-D-Criminal Records System District Court Docket Sheet-which stated:"Indictment [Offense could not be habitualized as indicted].id...That's why Applicant claimed Prosecutors used a fraudulent indictment to coerce and induce **his** consent to an unfounded charged offense.That,is **David Bass** intentionally committed breach of **his** fiduciary duty,and such abandonment of legally representing **his** client,-this Applicant,was the contributing Causation of such unconstitutional Conviction and illegal sentence,and thus,One **Joe Bobby Shaw**,as the Applicant in the above said cause or cause#2011-1687-C,-with an unknown Texas Court of Criminal Appeals number[ ],files [t]his Original Application for a writ of Mandamus against the trial Court and - its acting intruders,under the banner of the State[Courts],Texas,as Respondents for the 54th Judicial District Court of McLennan County of or to Texas,and thus, compelling said trial Court's officials,as the intruders,to retrieve its/their illegal motion-brief submitted without authorization for such intervention and-

1.Counter.

interferences,with this individual-Applicant recieving the equal protection of the laws under both Federal and Texas State's laws inplaced to protect individuals from...or...Against arbitrary [Usurpation of power] Action .e.g.,**Wolff-V.McDonnell**,418 U.S.539,558(1974),citing **Dent V.West Virginia**,129 U.S.114 ,123-(1889);Cf.**Ex Parte McCain**,67 s.w.3d 204,214,& n.15(Tex.Cr.App.2002),in part:

> "the trial Court performed an Action out-side of any legal or judicial - Act of authority,acts beyond the scope of the law and that **Ultra vires Act** cannot be recognized as a judicial act...The Law will not permit it, or validate its existance or performance...It is in **Hoary terms**,a **void - act**.Id...

Thus,the Legal and or substantiative due process of law's Clauses are designed-to protect the individual against such arbitrary actions completely out side of the trial judge's jurisdiction over the subject-matter,cause of action and Parties of interest.The law has been estabilised by bot federal and State Laws,and-[t]hereby,Prisoners retain their rights to be free of arbitrary and purposeless use of Authority.Inwhich on June 11th,2015,Judge **Matt Johnson** lied,as **his** adoption of baseless and unfounded conclusionary allegations,were contrary facts Pleaded and stated in Applicant's memorandum of law that was attached to Applicant's Form-Application for a Writ of habeas corpus,ad testificandum.In fact,the judge lied about Applicant has alleged no matters which are cognizable in a subsequent application for a writ of habeas corpus under Article 11.07.."I quess-he meant et seq ?,because said provisions under six sections and 10 subsections inreference !...Futhermore,Applicant stated new claims for relief,under 11.07,§-1,2,& 3(a) & (b);§ 4(a)(1) & (2),& (b);§ 5-"Upon recieviewing the record the-Court of criminal Appeals of Texas **shall** enter its judgment remanding the Applicant to the Custody or Ordering **his** release,as the law and facts may justify"Id. Your Applicant was in possession of a book of Criminal laws of Texas,2001/2003 - edition-by Diane Burch Beckham,as Texas District & County Attorney Association-subscribers to said book.So these provisions were injected to precisely and specifically point out the terms of what provisions could be invoked to obtain the relief Applicant seeks in vinidacting **his Constitutional** violations of rights,-against the convicting Court's judge,Prosecutor and alleged defense Counsel.Thus, page 1 is full of misstatement of facts;as well as Judge **Matt Johnson** erroneously leaves out any conclusions of law to base **his** adopted baseless brief for the illegal interveners and their unlawful motion practice.Inwhich such improper illegal motion practice was conducted in close Court settings,and with third Party illegal intervention,or with out third Party's submission of any Amicus Curiae-Court(s) approval-of Amicus Curiae motion or Answer to Applicant's Application - for a writ of habeas corpus,and it's separate but attached Memorandum of law...

Applicant acting without legal and trained competent lawyer in the law,but does have a Sui-juristswho practices the law in chief and has thus, Applicant in [t]his Writ of Mandamus,with its counter-claims against illegal interveners and the intruder,judge,**Matt Johnson**.And respectfully ask the Texas Court of Criminal Appeals justices to impose sanctions upon the Office of **Abelino Reyna**--

for under taking of **his or their** motion of illegal improper submissions of misstatement of facts,and unauthorized Amicus Curiae filings,upon their imposed false **"STATE'S Answer"**-rather than allowed proper legal service upon the custodian of record,**Eddie D.Baker**,who is the only Person holding Applicant against **his** will,as unlawfully and illegally restrained of **his** liberty-Interest. See **U.S.V.Moussaoui**,365 F.3d 292,300-302,n.4-5(4th Cir.2004),citing **Padilla - V.Rumsfeld**,352 F.3d 695,709(2nd Cir.2003),Cert.Granted;___U.S.___,124 S.Ct.1353,1358(2004);**Hamdi V.Rumsfeld**,542 U.S.507,124 S.Ct.2633,159 L.Ed.2d 578(2004) 8,272;**Rumsfeld V.Padilla**,542 U.S.426,124 S.Ct.2711,159 L.Ed.2d 513(2004),8;**Rasul V.Bush**,542 U.S.466,124 S.Ct.2686,159 L.Ed.2d 548(2004),9;Cf.**Baker V.Monsanto**,111 S.Ct.158,161(Tex.1985);stated in Part;

> "We hold that defective jurisdictional allegations in the petition, defective service of process,and defects in the citation must be challenged by motion to quash,not a special appearance"Id...

In this instant Cas sub judice,Applicant was deprived of any apportunity to-challenge the intervener'(s) illegal motion practice in **his** case,all because - the trial Court and its judge,**Matt Johnson** intentionally and erroneously failed to conduct any meaningful examination,nor hearing,as in an incamera review-of Applicant's application,it's attached memorandum of law,exhibits and all pertinent intrinsic evidence;as well as the Custodian's recordsthat must be examined,and thus,that acting judge-'if authorized-?',must examine for his s.lf - and cannot abdicate that responsibility in favor of an assessment by the unidefiable theird Party intervener(s),acting as the STATE OR STATE OF TEXAS,under-**Abelino Reyna**-who has not himself endorse such illegal motion practice,and by unlawfully intervening,those impersonaters for the STATE,interfer and impede - Applicant's rights to have his captor(s) served process of service by a summon-(s),and the Complaint of the Petition for a writ of habeas corpus,under provisions cited in Applicant's memorandum of law.i.e.,Articles 11.01,11.02,11.03,-11.04,11.05,11.10.11.11,11.12,11.13,11.14(1) to (5),11.15 of the Texas Code of Criminal Procedure;Rules 21a and 106 of the Texas Rules of Civil Procedure...

B) These above provisions cited are to illustate that the legal proper Respond-ent(s) has not been served - with respect to the **Writ** of habeas corpus petition - that is to be served on the **person-who has custody over this Prisoner**-Applicant and exclsuive,'if not original,'jurisdiction of the issuance of the Writ lies with The Texas Court of Criminal Appeals-Justices,over the Respondent(s) named in the memorandum of law,filed by Your Applicant,as part of **his Petition** while illegally and unlawfully held hostaged at the Mark Wayne Michael Prison-Facility,located at Anderson County of the state of Texas.See Hamilton V.McCotter,172 F.2d 171,183-174,n.15,21-23(5th Cir.1985)(citation in original & at Applicant's memorandum of law,supra);Cf.**Ryland V.Shapiro**,708 F.2d 967,972,n.5(5-th Cir.1983),in relevant part:"Of what avail is it to the individual to **arm him**-with a panoply of Constitutional rights if'when **he** seeks to vindicate them,the-Court-room can be hermestically sealed against **him** by a functionary.who,by refusal or neglect,impedes the filing of his papers;an allegation that **a clerk** of State Court has negligently delayed the filing of [a] Petitioner's appeal,and-

that delay has interfered with an individual's right of access to the Courts and thus,may state a cause of action-while Applicant's complaint can be construed to allege [his] deprivation of federal rights to procedure due process of-law,pursuant to the **First** and **Fourteenth Amendments** to the United States Constitution of America"Ibid;Cf.**DeLeon V.District Clerk**,187 S.W.3d 473,474-75,& n.3-4,5(Tex.Cr.App.2006)"-Mandamus relief maybe granted if the Relator shows that-the judge's act or inactions,sought to be compelled is purely ministerial and -that there is no adquate remedy at law-'to cure such said Respondent'(s) intentional failures to act as requested/pleaded by Your Relator,and that failure is-a refudual to perform **it's** ministerial function,under the fact of Relator's Case inchief!..Possibly,because the judge would not examine the filed record under -cause#2011-1687-C2,and erroneously and deliberately failed to place the Custodian[**Baker D.Baker**,of TDCJ's industry-business]or said intruder(s)under **Oath** and-while in a conducting session,asked jurisdictional questions or about the contents of the records that had been introduced at the plea bargin hearing,and should have been produced,'with Relator[Applicant] at any hearing held by **Matt -Johnson**,the judge-who had not even stated that this case sub judice came before **his** trial Court,on a certain date ! **johnson** merely implied that **Bobby Joe Shaw** filed a subsequent application for a writ of habeas corpus;and then falsely-claimed or assumed wrongly,"that the District Attorney was served with a copy-of Applicant's application by email"..Its legally impossible,because Relator is a Prisoner,and inmates within the Texas Department of Criminal Justice are not-permitted access to the Administrative **Email** system !!!!..In fact,Your Relator actually served warden **Eddie D.Baker** with a true,correct and complete Copy of **his** writ of habeas corpus application form and **his** memorandum of law.As for the exhibits,**Mr.Baker**,should have the original duplicated copy of the judgment and-the alleged indictment,as the contract that was,and is still being used to falsely charge this Relator.Thus,**Matt Johnson's** letter of the law is so fatally -defective in process,so clearly illustrates why said 2-page general denial was filed the same day that the intruders filed their baseless and false statement of facts,as their 2-page answer-that some undecipherable and unidentifiable signatory [ghost]person endorsed for **Sterling Harmon**,acting or impersonating a-Lawyer,for the Chief Appellate Division,-with a state Bar#09019700...But the -ironey of this misstatement of facts,"is **Abelino Reyna**,as Criminal District Attorney,is not made part of this Relator's appeal,as **he** has not been put on notice that TDCJ's warden,**Mr.Baker** is to deliver the body of Applicant to the trial Court,so that Applicant can or could have shown why **he** is illegally and unlawfully being detaine,confind,and restrained of **his** liberty...A liberty interest that can only be addressed with the proper legal Custodian,and **his** assessment-upon **its** included discoverable record of exclupatory evidence or information that must be examined by a none-bias judge,and the justices of the Court of Criminal Appeals...Inwhich the trial Court's officials merely deferred to whatever **Sterling Harmon**'s opinion was,'that all matters alleged in some application was

not specifically admitted by the State[Who is the Person ?]-in this answer-are denied"..However,such commentator fials to state that Applicant had no-merit in **his** grounds raised in **his** application and memorandum of law;along with **his** exhibitation insupport for the Courts issuance of the writ of habeas - corpus,ad testificandum...Wrose yet,the intruder,as the STATE,speaks in ambiguity,and in vagueness,when it states:

"Applicant alleges no matters which were not cognizable on appeal or in - his previous application for habeas corpus"..This is redicules,because it made no sence,other than to just try to rebut what it cannot defeat in open - COURT Proceedings...The Court of Criminal Appeals judges must apply its precedent,and reverse,and vacate Relator's induced and Coerced conviction,since the Locus of decision making is to be the trial Court's judge's,not the former Prosecutor'(s) or the actual Custodian of records...Because a ministerial duty is a function for the trial Court's judge's acts,as to make an effort to inquire-into what types of documents the TDCJ's Custodian opts or does not opt to produce,and thus,the trial Court's judge has intentionally failed to require,the State development,combined with practically [non]existing fact-development procedures on such habeas corpus proceedings,rather than suspend the writ altogether,and thus,not requiring the Custodian to establish[ed] on the record what trial,Court documents were included in the[ir]Official's complete personnel files-that would justify why they/Respondent(s) hold Applicant against **his** will ?-and what law was applicable;inwhich then the judge could have explained its ill-gotten decision to with hold certian exclupatory material-documentation...and without doubt,Relator would have been promitted **his** apportunity to show good-Cause for want of jurisdictional discovery-of dishonest and false reported record,as to the Prosecuting team's fraudulent indictment used to induced Relator-'s-plea of quilty.So the secound point of error of law,not mentioned by **Matt Johnson**,is **David Bass** committed breach of **his** fiduciary duty,and legal obligations.These facts are well pleaded on Relator's memorandum of law,and briefly reiterated on page 6,0f **his** ATC-11.07-application form...Thus,**Matt Johnson**,for - **Sterling Harmon**,et al,has abused **his** judicial authority,in failing to perform-**his** ministerial duties employed by State of Texas Law,and the Texas Constitution.i.e,Article V,§ 8;or § 1...A Court must perform those collateral judicial - Acts/duties that the Legislature Orders it to perform as long as they are Constitutionally permissible.**Curry V.Wilson**,853 S.W.2d 40,45,& n.6,7(Tex.Cr.App.1993);**Garcia V.Dial**,596 S.W.2d 524,527-28,& n.7(Tex.Cr.App.1983);**King V.State**,473 S.W.2d 43,47-48,51-52,& FN.26(Tex.Cr.App.1971);**Ex Parte McCain**,67 S.W.3d 204,210-211,214,& fn.2,7,15(Tex.Cr.App.2002).Thus,the trial Court's judge's Order to - its Clerk,is not only not an Order of the Court's judge upon findings of facts and conclusions of law,it also fails to duly prepare its Order to prepare & transmit a transcript of all pertinent legal documentation under cause#2011-16-87-C2-to this Texas Court of Criminal Appeals,purusuant to 11.07,§ 3(a);§ 5 &-6 et seq,of the Texas Codes of Criminal Procedure.Inwhich the ORDER was to -

express" The transcript **shall** include certified and verified authenticated - copies of the alleged indictment,warrant for arrest,probable cause report,gr- and jury Panel's transcription of testimony,evidence,documentation recorded,if- any ?',Applicant's application for a writ of habeas corpus,ad testificandum,its separate but attached memorandum of law,along with exhibits submitted by Applicant,and filed therewith,the judgment form-sheet,and sentence sheet;docket sheet of all entries ; the waiver of Constitutional Rights,Agreement to stipulate, and Judicial Confession;trial Court's written admonishments under cause on appeal[if any to all items ?] the intruder's/STATE'S/**Reyna's/Harmon's** Proposed Order for filing Affidavit(s) of truth(s),;findings of facts and Conclusions of - law;the recorded record of the habeas corpus hearing/evidiary hearing;including all exhibits admitted by defedant and Respondent(s)/intruder(s).Among any or all pertinent documentation related to this case sub judice"...Wrose yet,there is no order of the trial Court's judge to have Ordered further,that "the Clerk **is ORDERED to** send a true,correct,accurate,and complete copies of said documentation to the Custodian of record/Respondent,for the TDCJ's executive director,- and to your Applicant;and then such notices would have ended with:

> **"BY THE FOLLOWING SIGNATURE,THE TRIAL COURT ADOPTS THE STATE's[Abelino - Reyna's]proposed findings of facts and conclusions of law & ORDER IN CAUSE NUMBER 2011-1687-C2;** more over,the ill-gotten signature,is not judge,- Matt Johnson's,-that appears on 6/11/2015..."Maybe this is why there is no-actual ORDER OF THE TRIAL COURT...And such defective processed instrumentality - by **Johnson's** adoption of a false STATE'S ANSWER TO APPLICANT'S or actually,to- **"AN APPLICATION FOR WRIT OF HABEAS CORPUS"**..As captioned for **Sterlin's Mermon's EX PARTE BOBBY JOE SHAW's** misrepresentation of Applicant's cause of action on - Appeal...The only statement presented by Hermon,is concluding with:
>
> "Now,therefore,the Clerk of the Court[which Court or #?]-is ORDERED to - immdiately transmit to the Court of criminal Appeals all necessary documents not heretofore transmitted,and a Clerk's summary sheet and a certified reciting the date upon which this filing was made,and this Order,etc.

"A Clerk's summary sheet is not any main transcription of legal issued documents that justify why Applicant is being illegally and unlawfully confind and restrained of his liberty"..The gross-defective letter by **Hermon** ends with merely- saying:"IF-the Clerk has **received** any communication from Applicant before such transmission,a copy of said communication shall also be sent to the Court of Criminal Appeals"....What could that possibly mean ? since Applicant submitted every thing **he** just claimed above...But however,the judge's Order for the Clerk to immediately transmit items,does not acknowledge the existance of an- embedded federal question,as found under **Boykin V.Alabama**,id.at 395 U.S.238,at 242-43,89 S.Ct.1709,1711-12,23 L.Ed.2d 274(1969).**Hermon**,and **Johnson**,for the - intruders anticipate no detection.That result is a vast twilight zone where - Civil and human Rights and privileges secured by the United States Constitution of America give off only a fair glimmer of light.Day to day reality is an unchecked heavy dose of center-authority.This Relator has no other avenue through

State Courts that are selected for arbitrary handlings,nor are there procedure due process checking the arbitrary power of their overseers.**Matt Johnson** - has given **his** alignment with the baseless and groundless Prosecutorial general denial.Even though intervening in this Case sub judice,**WITH** jurisdictional approval of an authorized judge,having exclusive or competent jurisdiction over - said cause of action and parties;but taking said intruder's void point of view, all while prisoner-Applicant lacks [a] structural insulation from extrinsic illegal intervention of indivduals as **Harmon and Reyna**,**to** insure at least that indispensable element of neutrality which characterizes Civilian Courts.Mandamus is a necessity in the interest of justice-against such arbirary discretion by-- judge **Matt Johnson**-"whose abuse of authority obstructs both legal Parties of - interest ability to address and argue the merits of this Case in briefs.In fact, there's no mention of Applicant's ground for relief whatsoever in the Court's- Order to its Clerk.Hence,pursuant to **Harmon's** intervention,all Applicant's proposed findings of facts and Conclusions of law stated-in **his Application** and- memorandum of law attached,were never admitted by the proper legal Respondent- and therefore,Applicant's right to due process of law are continuely violated- by said interveners deprive your Applicant **his** opportunity to defend **his** Claim- (s) on appleal sub judice-but against unfounded charges,as well as improper & and unlawful judgment by said trial judge(s); that includes,but not limited to being unable to be knowledgeable about the alleged waiver of **his** rights to answer,and therein also clearly constructively denying Relator any opportunity to be heard,and other means of equalable availing **himself** to the Texas State Courts...And this inspite that your Applicant must have a clear right to the relief sought by **him**.Meaning the **his** claim's contentions have merits of the relief **he** seeks is beyond dispute.Inwhich **his** submitted exhibitation speak for itself Including a recent trial Court's and District Clerk'(s) correspondence letter dated June 9th,2015-in part:" I do not show that the above cause[2011-1687-C2]- has a police report filed"Id....signed by **Crystal Mynar**,herslf,as the deputy- Cler for the McLennan District Clerk's Office,at the McLennan Courthouse,at P.O. Box 2451,Waco Texas 76703;Ph:#254.757.5054 Or 757.5057(exhibit:3-A).Thus,My - rights of access to the Courts falls under the requirements of such clear Rigths and necessitaties that the law plainly describes the duty to be performed- and such that there is no room for the exercise of discretion"Id.at **DeLeon**,supra,at 187 S.W.3d at 474-75(case law cited);**State ex rel.Hill V.Pirtle**,887 S.W.-2d 921,926-27,& n.4(Tex.Cr.App.1994),id.at 932," Only if such action is not taken will the Writ of mandamus issue"Id;**Ex Parte Seidel**,39 S.W.3d 221,224-25,n.-4(Tex.Cr.App.2001).Furthermoreover,**only** the Legislature has the RIGHT to Suspend statutory laws;and not the Writ of habeas copus,as would be found under Article I,§ 28 of the Texas Constitution.**DeLeon**,supra,at 187 S.W.3d at 475... Therefore,this two-headed creature of a mandamus,**coupled with**- counter claim in the making proceedings,in actuality,is the only way this Applicant Relator can

possibly and legally prevent a grave injustice and obstruction of justice,& - of **his clearly** established rights,both under State of Texas and federal Constitutions,and State Statutory laws.**King V.State**,473 S.W.2d 43,at 45-46;**Walters V.-Grossheim**,990 F.2d 381,384(8th Cir.1993),in part:"Court's Order mandating the - inmates Created Liberty interest[are charaterized,as inherent in the Constitution;arise when a Prisoner has acquired substantial freedom such when said Prisoner is unlawfully deprived of the required due process protection]in reinstatement of **his** higher privilege status"Id;**Sandin V.Conner**,515 U.S.472,484(1995);**Harper V.Young**,64 F.3d 563,566(10th Cir.1995),aff'd,520 U.S.143(1997)."that said,- the establishment of law is mandatory,with no discretionary barriers to prevent Applicant's pretected Liberty interest which is created pursuant to the due Process Clause of its own force;or can be created by A-Court Order ! or by A- State through statutes or requlations"Ibid.Thus,Procedure means enforcement under the **Civil Rights Act 1871;and** the Texas Civil Practice & Remedies Code,Chapter 37,& 16,allows the district Courts to declare an individual's rights,and enforce those rights which are established by any Court of law in rendering a declaratory judgment in any suit under review...Thus,the threat of habeas corpus serves as - a necessary additional incentive for a trial in accordance with procedure due process,and Appellate Courts through out the Land to conduct their proceedings in a manner Consistent with said estalished Constitutional standards.**Desist V.U.S.,** 394 U.S.244,262-263,89 S.Ct.1030,1041;Cf.**Johnson V.Puckett**,929 F.2d 1067,1071(5-th Cir.1991)(citation omitted);**Brown V.Edwards**,721 F.2d 1442,1448(5th Cir.1984). Hence,this Texas Court of Criminal Appeals-Justices have exclusive and or original jurisdiction to issue Applicant's requested writ of mandamus in this Case - sub judice,pursuant to Article 5,§ 5A of the Texas Constitution,and Article 4.04 (TCCP),for the purpose of invoking § 22.221(b) of the Texas Government Code. **Wherefore,Premises duly considered**,this Applicant-Relator prays that this Case sub judice,be properly legally filed,docketed,and processed inaccordance with - the commands of legal due process of law,upon considering each and every source of information,evidence,legal citations,arguments,points raised,with authorities, and factual recitations,and issues of facts and law made herein and in **his** previosly submitted application,with it's attached memorandum of law,along with exhibits(1-A thur 1-G'2-A to 2-O;3-A to 3-G),but as submitted contemporaneously hereintoo,as if entirely herein,and on the basis of the existing trial records,and on further basis of testimony,evidence-anticipated to be adduced at an evidentiary or de novo rereview,hearing with this application for a writ of mandamus,- coupled with Applicant's counter-claim(s) incorporated by reference herein,so that this Appeallte Court's justices will strick and thereafter,stricken **Harmon's** and **Reyna's** filed illegal improper **brief** along with judge **Johnson's** void adopted [false]Anwer OR-STATE'S ANSWER TO AN APPLICATION FOR A WRIT OF HABEAS CORPUS;as if**Johnson's** own independent findings of fact and Conclusions of law,wothout any actual law citations,nor precedent insupport of such fake and fraudulent filed brief,as if the legal Respondent(s) of interest;Order the trial judge to serve the real/actual Respondent(s) of interest,accoring to Tex.Civ.R.Proc.,2la,& 106- and or any other Texas rule of law that may apply to have the Respondent(s) pro - perly served the writ of habeas corpus,and its summon and complaint,within **Twenty-**(20) days of the entry of this Court'(s) Order to set aside and vacate **Matter Johnson's** Order to **his** clerk and void recommen[illegible]ation,based on an action outside of the parameters of any rule of law or procedure in place at the time **MATT FILED** **his** post-trial Court's Order to **his** or **his** Court's Clerk(s) on 6/11/2015.Especially since it can be concluded that the habeas Corpus trial Court's judge,acted-

much more than arbitrarily abusive,as **his** action was in direct violation of statutory law,and procedures,as well as inviolations of both United States Constitution and the Texas Constitution,i.e.,Article I,§§ 10,12,13,16;**First Amendment**,and **Fourteenth Amendment,Clause 1**.However may Mandamus relief be conditionally issued directing that the Respondent(s),and **Johnson,Matt as judge**,Order - It's Court's Clerk(s) to file,docket,process for service,and grant the Writ of habeas corpus,ad testificandum,with summary judgment upon Applicant's pleadings on the merits,or and in considering,addressing and otherwise ruling upon this - Relator's memoraum of findings of facts and conclusions of law,so as too pursuing other proceedings pertinent in effectuating such grant of service of process.In the interest of justice,may all be granted as an entitlement.

Excuted on 26th this day of June,2015,

Respectfully submitted, Bobby Joe Shaw X

I,Bobby Joe Shaw,am the Applicant-Relator, presently unlawfully and illegal confind and restrained of My liberty at the Mark Wayne Michael Prison Facility,located at Anderson County of Texas;address is,2664 F.M.2054,Tennessee Colony,of Texas,75886,and hereby declared and certified of penalty of perjury that this Application for a writ of Mandamus and with My coupled Compulsory Counter-Claim(s) are a true,correct,accurate and complete copy that I have delivered to the legal Custodian of record,as Respondent-of direct interest,at 2664 F.M.2054,Tennessee Colony,Texas 75886-Whose Custodian of record,and warden,**Eddie D.Baker**(or if reassigned job,a successor),on 26th this-day of June, 2015 . Bobby Joe Shaw Your Affaint-Relator as Pro Se litigent.

ORDER And Or Judgment

On this the____day of_____,2015,came to be heard,and let **it** be remebered,this Texas Court of Criminal Appeals held a hearing upon Relator's/Applicant's Application For-A-Writ-of-Mandamus in the above styled,Caption,and numbered Cause-and case of action,with Applicant/Relator only permitted to appear by **his Written paper-legal documentation**;(Respondent(s) unknown how it appeared),and thus, it appears to the Said Appellate's Court's Justices,that this Writ(motion) should be granted in all thins,_____ or denied in part,_____ or denied in full,_____,and it is so **Ordered,Adjudged and Decreed.**

_____ X

Justices of the Texas Court of Criminal Appeals,At Austin,of the State of Texas