IN AND FOR THE JUDICIAL DISTRICT COURT
IN AND FOR POTTER COUNTY TEXAS
AMARILLO TEXAS

84,331-02

.....

IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

RECEIVED IN
COURT OF CRIMINAL APPEALS

NO. WR:_____

IN RE LAWRENCE BRACKENS, JR.,

DEC 16 2015

Abel Acosta, Clerk

RELATOR'S APPLICATION UPON LEAVE TO FILE A WRIT OF MANDAMUS IN CAUSE NO.07010279
JUDICIAL DISTRICT COURT
IN AND FOR POTTER COUNTY TEXAS

NOW COMES, Lawrence Brackens, Jr., as Relator, and files this, his Motion for leave to proceed jurisdiction of Writ of Mandamus, by and through, the original jurisdiction of Court, as Relator alleges, which will be shown as to.. the following;

1. Thus, the Relator will respectfully show this Honorable Court of Criminal Appeals, that he has filed a Writ of Habeas Corpus, in the Judicial District Court of Potter County, Texas, Amarillo, Texas, in Cause NO; 07010279;

2. Moreover, it has benn more than 35 days of the date in filing the Application for Writ of Habeas Corpus Petiton thus the trial Court had 15 days in which, it may conduct an evidentiary hearing, or an order designating such issues to be investigated;

3. Relator, respectfully request of this Honorable Court of Criminal Appeals, to have Respondent, the District Clerk of Potter County, to file a response, submitting the record on the Habeas Corpus, as a timely

filed order;

4. At last, it is also respectfully requested of this Honorable Court of Appeals, that it include an order designating the date, in which the district attorney's office was served with habeas application;

5. As was, the DA's office has 20 days in which to file a response. Thus, as of this date, the application has not been ruled on, or forwarded to this Court, by way of order, in which designates issues, as was in McCree v. Hampton, 824 S.W.2d 579(Tex. Crim. App. 1992).

PRAYER

WHEREFORE, PREMISES CONSIDERED, Relator, Pro-se, respectfully request of this Honorable Court, to grant him leave of the original jurisdiction of a Writ of Mandamus, pursuant to the filing of the Writ of Habeas Corpus, and more than 35 days elapsed, and all things granted.

Signed this 14 day of Dec., 2015.

Respectfully Yours,

Lawrence Brackens

CERTFICATE OF SERVICE

I, LAWRENCE BRACKENS, JR., as Relator, hereby certify that a true and correct copy of Relator's, original application for a Writ of Mandamus, has been forwarded to the Clerk's Office in Potter County, Amarillo, Texas, by placing same in the United States Mail, Pre-Postage, paid by Relator, as placing in U.S. Mail Date: 12/14/15.

Respectfully Sudmitted,

Lawrence Brackens