NO PD-1345-15

IN THE
COURT OF CRIMINAL APPEALS
OF TEXAS

BOBBY JOE EVENS
APPELLANT/PETITIONER

VS.

THE STATE OF TEXAS
APPELEE/RESPONDANT

Appellant's motion requesting that the Court of Criminal Appeals of Texas acknowledge and review the Sixth Court of Appeals opinion in case No: PD-1345-15 alledging that the Sixth Court of Appeals failed to review and write an opinion in reference to insufficient evidence raised on direct appeal from the 196th judicial district court, trial couse No 27388 in the Court of Appeals Sixth district of Texas at Texarkana No .06-15-0079-CR. Appellant relying on William Travis Light, appellant v. The State of Texas No.0761-99 Court of Criminal Appeals of Texas En Banc. April 05,2000. Appellant Evens contends the Sixth Court of Appeals at Texarkana is required to review every arguement raised by a party that is necessary to the disposition of that appeal. Rules App. Proc.,Rule 47.1(a) Appellant Evens contends in reference to criminal law KEY 1181.5 (3.1) Failure by a court of appeals to address a point of error properly raised by a party requires remand for consideration of that point of error. Rules App.Proc.,Rule 47.1 (a)

Futhermore appellant contends although he raised proper arguements in reference to insufficient evidence in his petition for discretionary review the presumption of regularity is a judicial construct that requires a reviewing court absent evidence of impropriety to indulge every presumption in favor of the regularity of the proceedings and documents in the lower court.

Appellant contends it's a judicial requirement that the Sixth Court of Appeals address every issue necessary to dispose of an appeal comprehends addressing alternative arguements as well as arguments that are more distinct in their topics. Rules App.Proc., Rule 47.1 (a)

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DEC 22 2015

Abel Acosta, Clerk

PRAYER FOR RELIEF

Wherefore, petitioner prays this court grant this motion to remand this cause back to the Sixth court of appeals at Texarkana for consideration and opinion in the cause No 06-15-0079-CR.

RESPECTFULLY SUBMITTED,

Bobby Joe Evens

PETITIONER PRO SE
T.D.C.J. No.1995944
Texas department of criminal Justice

CERTIFICATE OF SERVICE

The undersigned appellant/petitioner hereby certifies that a true and correct copy of the foregoing petition requesting that the court of criminal appeals remand this cause back to the Sixth court of appeals at Texarkana for consideration of that point of error has been mailed U.S. mail, postage prepaid to Court of Criminal Appeals P.O.Box 12308 Austin Texas 78711 on this 14 day of December, 2015

Bobby Joe Evens

APPELLANT/PETITIONER