IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-88,275-04

EX PARTE DAVID KING, JR., Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 1067060-A IN THE 180TH DISTRICT COURT
FROM HARRIS COUNTY**

***Per curiam*.**

O R D E R

Pursuant to the provisions of Article 11.07 of the Texas Code of Criminal Procedure, the clerk of the trial court transmitted to this Court this application for a writ of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of murder and sentenced to imprisonment for forty-seven years. The Fourteenth Court of Appeals affirmed his conviction. *King v. State*, No. 14-08-00541-CR (Tex. App.—Houston [14th Dist.] Houston Oct. 27, 2009) (not designated for publication).

On May 20, 2013 and February 5, 2019, the trial court entered orders designating issues. After Applicant filed a mandamus application in this Court, the trial court signed an order directing the district clerk to forward this application. This application was properly forwarded to this Court,

but it was forwarded before the trial court completed its evidentiary investigation and made findings of fact and conclusions of law. We remand this application so the trial court can complete its evidentiary investigation and make findings and conclusions.

This application will be held in abeyance until the trial court has resolved the fact issues. The issues shall be resolved within 90 days of this order. A supplemental transcript containing all affidavits and interrogatories or the transcription of the court reporter's notes from any hearing or deposition, along with the trial court's supplemental findings of fact and conclusions of law, shall be forwarded to this Court within 120 days of the date of this order. Any extensions of time must be requested by the trial court and shall be obtained from this Court.

Filed: April 17, 2019
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