IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-69,480-07 & WR-69,480-08

EX PARTE RODNEY DEAN BETHANY, Applicant

ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. W04-00123-W(C) & W04-00122-W(C)
IN THE 363RD DISTRICT COURT FROM DALLAS 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 these applications for writs of habeas corpus. *Ex parte Young*, 418 S.W.2d 824, 826 (Tex. Crim. App. 1967). Applicant was convicted of the offenses of robbery and aggravated robbery of an elderly person and sentenced to imprisonment for life in both causes. The Fifth Court of Appeals affirmed his convictions. *Bethany v. State*, Nos. 05-04-00361-CR & 05-04-00362-CR (Tex. App.–Dallas, delivered June 15, 2005).

On November 30, 2018, an order designating issues was signed by the trial court. It appears that the trial court has not completed its fact-finding. We remand this application to the 363rd District Court of Dallas County to allow the trial judge to complete an evidentiary investigation and

enter findings of fact and conclusions of law.

These applications 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: June 5, 2019

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