IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-25,679-37

IN RE ARTHUR DAVID LOWE, Relator

ON APPLICATION FOR A WRIT OF MANDAMUS
CAUSE NO. 1025 IN THE 110TH DISTRICT COURT
FROM BRISCOE COUNTY

***Per curiam*.**

O R D E R

Relator has filed a motion for leave to file a writ of mandamus pursuant to the original jurisdiction of this Court. In it, he contends that he is assisting his fellow prisoner, Rene R. Leal, to prepare an Article 11.07 application for a writ of habeas corpus. *Johnson v. Avery*, 393 U.S. 483 (1969). He alleges that the District Clerk of Briscoe County has requested that relator be restricted from sending or receiving any mail to or from the District Clerk, including legal mail and mail relating to the purchase of court documents. *In re Bonilla*, 424 S.W.3d 528, 533 (Tex. Crim. App. 2014).

Relator includes a document purporting to be an internal TDCJ "Negative Mail" letter

informing relator and the mailroom supervisor on his prison unit that "Bena Hester, Briscoe County and District Clerk has been placed on your negative mailing list at her request. You will not be allowed to send or receive mail from this individual."

In these circumstances, additional facts are needed. Respondent, the District Clerk of Briscoe County, is ordered to file a response addressing whether she requested that Relator be barred from corresponding with her office. If so, her response should include the rationale for this request and include any supporting documents, as necessary.

Texas Department of Criminal Justice's Office of the General Counsel is ordered to file a response to Relator's claims and its policies applicable to, among other things, "Negative Mail" and legal mail.

Such responses shall be submitted within 30 days of the date of this order.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice-Office of General Counsel, and Rene Ramiro Leal, TDCJ #00754733.

Filed: July 24, 2019
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