IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-89,791-02

EX PARTE PIERRE DANIELRELL THOMAS, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS CAUSE NO. W08-30475-K(B) IN THE NO. 4 DISTRICT COURT FROM DALLAS COUNTY

***Per curiam*.**

O R D E R

Applicant was convicted of murder and sentenced to twenty years' imprisonment. Applicant did not file a direct appeal. Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07. The record forwarded to this Court appears, however, to be incomplete. Trial counsel's affidavit responding to Applicant's claims has not been included.

On January 14, 2021, this Court ordered the district clerk to supplement the record by either forwarding to this Court a copy of trial counsel's affidavit or certify in writing that the missing document is not part of the record. The clerk was ordered to respond within thirty days from the date of the order but the clerk has not responded to this Court's order.

We remand this application to the trial court, which shall ensure that the habeas record is supplemented with a copy of trial counsel's affidavit, including, among other things, any affidavits, motions, objections, proposed findings and conclusions, orders, and transcripts from hearings and depositions. *See* TEX. R. APP. P. 73.4(b)(4). The trial court shall respond within thirty days from the date of this order. Any extensions of time must be requested by the trial court and obtained from this Court.

Filed: April 13, 2022
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