# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

**NO. WR-55,452-16**

**IN RE JAMES SMILEY, Relator**

**ON APPLICATION FOR A WRIT OF MANDAMUS**
**CAUSE NO. D-1-DC-20904005-C-D IN THE 427TH DISTRICT COURT**
**FROM TRAVIS COUNTY**

***Per curiam*.**

**O R D E R**

Relator has filed a motion for leave to file an application for a writ of mandamus under this Court's original jurisdiction. He contends that he filed an application for a writ of habeas corpus in Travis County in July 2022 and his application has not been properly forwarded to this Court.

Respondent, the District Clerk of Travis County, shall forward Relator's habeas application to this Court, respond that Relator has not filed a habeas application in Travis County, or forward a copy of an order designating issues together with correspondence documenting the date the State received Relator's habeas application. *See* TEX. CODE CRIM. PROC. art. 11.07, § 3(c) and (d); TEX. R. APP. P. 73.4(b)(5). This motion for leave to file will be held. Respondent shall comply with this order within thirty days from the date of this order.

Filed: November 16, 2022
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