IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-81,450-02

EX PARTE BILLY FAIRCLOTH, Applicant

ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. D-1-DC-11-200824-A IN THE 167TH DISTRICT COURT
FROM TRAVIS COUNTY

***Per curiam*.**

O R D E R

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. Under Article 11.07 of the Texas Code of Criminal Procedure, a district clerk is required to forward to this Court, among other things, "the application, any answers filed, any motions filed, transcripts of all depositions and hearings, any affidavits, and any other matters such as official records used by the court in resolving issues of fact." *Id*. at § 3(d); *see also* TEX. R. APP. P. 73.4(b)(4). The record forwarded to this Court appears, however, to be incomplete. Copies of the following documents, which the Docket Record in volume six indicates were filed in the trial court, are not in the forwarded record: (1) Joint Stipulation of Evidence; (2) Joint Motion to Designate Issues of Fact and

Proposed Order Designating Issues; (3) Amended Joint Motion to Designate Issues of Fact and Proposed Order Designating Issues; (4) the trial court's Order Designating Issues; and (5) Agreed Proposed Findings of Fact and Conclusions of Law.

The district clerk shall either forward to this Court or certify in writing that these documents are not part of the record. The district clerk shall comply with this order within thirty days from the date of this order.

Filed: November 28, 2022
Do not publish