

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 93- 0090

TRANSFER OF CASE FROM THIRTEENTH COURT OF APPEALS

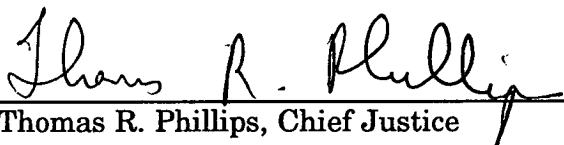
ORDERED:

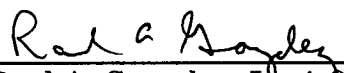
The following case now on the docket of the Court of Appeals for the Thirteenth Court of Appeals District, Corpus Christi, Texas, is transferred to the Court of Appeals for the Fifth Court of Appeals District, Dallas, Texas:


NUMBER	STYLE OF CASE
13-92-313-CR	Larry Wayne McNeely v. The State of Texas

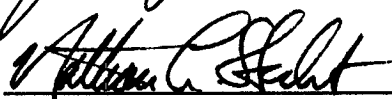
The Court of Appeals for the Thirteenth Court of Appeals District will make the necessary orders for the transfer of said case as directed hereby and will cause the Clerk of the Court to transfer the original transcript and all filed papers in the cases, and certify all orders made, to the Court of Appeals to which the case is transferred.

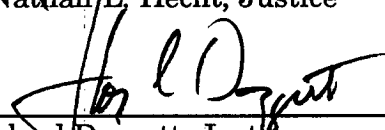
SIGNED AND ENTERED this 20th day of April, 1993.

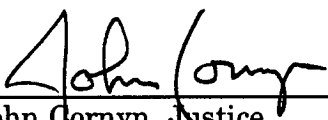

Thomas R. Phillips, Chief Justice

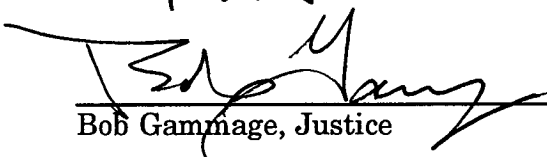

Raul A. Gonzalez, Justice

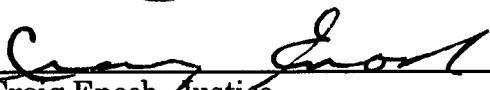

Jack Hightower, Justice



Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice

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STATE OF TEXAS

OFFICE OF COURT ADMINISTRATION

Post Office Box 12066
Austin, Texas 78711-2066
512/463-1625

C. Raymond Judice
Administrative Director

Jack Reynolds
Deputy Director

Jim Hutcheson
Executive Counsel

April 12, 1993

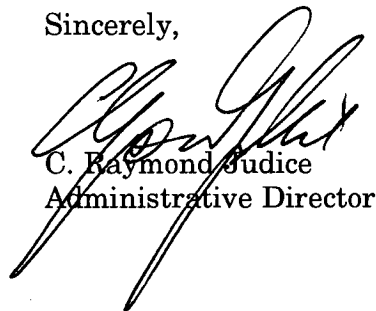
Honorable Bob Gammage
Court Liaison for Docket Equalization
Supreme Court of Texas
Price Daniel Sr., State Office Building
Austin, Texas 78711

Dear Justice Gammage:

The Thirteenth Court of Appeals in Corpus Christi has requested the transfer of two cases back to the First Court of Appeals in Houston.

Attached is a copy of Chief Justice Nye's letter to me requesting this transfer and the draft of a proposed order of the Supreme Court to accomplish this, should you concur in Chief Justice Nye's request.

Sincerely,



C. Raymond Judice
Administrative Director

Enclosures



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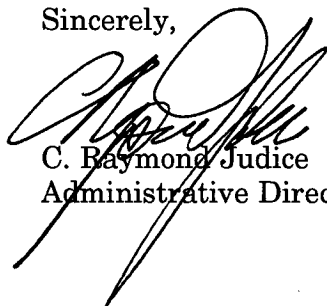
Mr. John T. Adams
Clerk, Supreme Court of Texas
Price Daniel, Sr. State Office Building
Austin, Texas 78701

Dear Mr. Adams:

Enclosed is the original and a copy of a proposed Order of the Supreme Court transferring Cause No. 13-92-130-CR, Ronald Earl Weathers v. State of Texas, and Cause No. 13-92-203-CR, Kevin Earl Curry v. State of Texas, from the Thirteenth Court of Appeals in Corpus Christi to the First Court of Appeals in Houston. After you have entered this proposed order on the Miscellaneous Docket of the Court, please forward the original of the proposed order to the chambers of Justice Gammage for further action by the Court.

Thank your for your attention to this matter.

Sincerely,



C. Raymond Judice
Administrative Director

Enclosures

cc: Justice Bob Gammage
Supreme Court

CHIEF JUSTICE
PAUL W. NYE

JUSTICES
NOAH KENNEDY
ROBERT J. SEERDEN
J. BONNER DORSEY
GILBERTO HINOJOSA
FEDERICO G. HINOJOSA JR.

Court of Appeals

Thirteenth Supreme Judicial District

TENTH FLOOR
NUECES COUNTY COURTHOUSE
CORPUS CHRISTI, TEXAS 78401

CLERK
CATHY WILBORN

DEPUTY CLERK
MARY JANE DUARTE

TELEPHONE: 512-888-0416

FAX: 512-888-0794

April 7, 1993

Honorable C. Raymond Judice
Office of Court Administration
P. O. Box 12066
Austin, TX 78711-2066

Dear Judge Judice:

On February 28, 1992, the Supreme Court of Texas entered Miscellaneous Docket Order No. 92-0055, concerning the transfer of 50 cases from the Fifth Court of Appeals to this Court. The following case was included in the 50 cases transferred from the Fifth Court of Appeals:

13-92-313-CR McNeely, Larry Wayne
v. Texas, The State of

The appeal in this cause was abated by this Court on October 8, 1992, and the trial court was ordered to conduct a hearing in accordance with Tex. R. App. P. 74(1)(2), to determine the status of this appeal. A record of the hearing held by the trial court on March 19, 1993, was received in this Court on April 2, 1993. At the hearing, counsel for appellant stated that a companion to this case is pending in the Fifth Court of Appeals, and it is his desire or intention for this appeal to be transferred back to Dallas so both cases can be heard together.

It appears that these two cases should be considered together; therefore, we respectfully request that the appeal currently pending in this Court be transferred back to the Fifth Court of Appeals.

Very truly yours,



PAUL W. NYE
Chief Justice

PWN:cw