

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 99-9056

TRANSFER OF CASES FROM FIFTH TO SIXTH COURT OF APPEALS

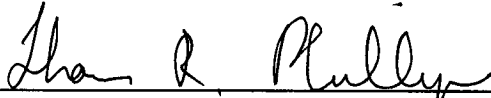
ORDERED:

The following cases are transferred from the Court of Appeals for the Fifth Court of Appeals District, Dallas, Texas, to the Court of Appeals for the Sixth Court of Appeals District, Texarkana, Texas:

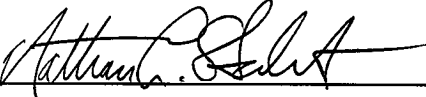
No. 05-98-00863-CR	Sharper v. State of Texas
No. 05-98-00864-CR	Sharper v. State of Texas
No. 05-98-00865-CR	Sharper v. State of Texas
No. 05-98-00866-CR	Sharper v. State of Texas

The Fifth Court of Appeals will make the necessary orders for the transfer of said cases as directed hereby, and will cause the Clerk of that Court to transfer the original transcript and all filed papers in the cases, and certify all Orders made, to the Sixth Court of Appeals. Upon completion of the transfer, the Sixth Court Appeals shall provide notice of the transfer to the Supreme Court and the State Office of Court Administration.

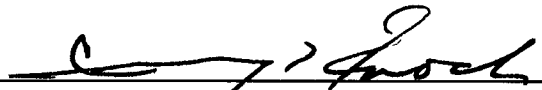
SIGNED this 24th day of March, 1999.




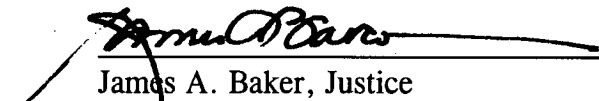
Thomas R. Phillips, Chief Justice

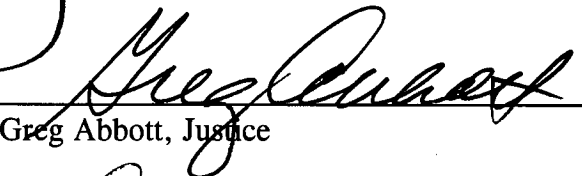


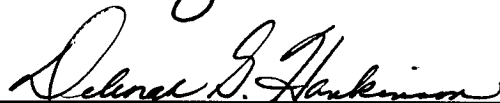
Nathan L. Hecht, Justice

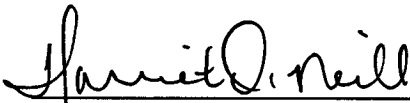

Craig T. Enoch, Justice



Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Alberto R. Gonzales, Justice

CHIEF JUSTICE
LINDA THOMAS
JUSTICES
SUE LAGARDE
ED KINKEADE
JOHN OVARD
FRANCES MALONEY
JOSEPH B. MORRIS
MARK WHITTINGTON
TOM JAMES
CAROLYN WRIGHT
JIM MOSELEY
DAVID L. BRIDGES
JOHN R. ROACH
MICHAEL J. O'NEILL



**Court of Appeals
Fifth District of Texas at Dallas**

GEORGE L. ALLEN, SR. COURTS BUILDING
600 COMMERCE STREET, 2ND FLOOR
DALLAS, TEXAS 75202-4658
(214) 712-3400

LISA ROMBOK
CLERK OF THE COURT
(214) 712-3450
lisa_rombok@txcoa05.com

GAYLE HUMPA
BUSINESS ADMINISTRATOR
(214) 712-3434
gayle_humpa@txcoa05.com

FACSIMILE
(214) 745-1083

INTERNET
WWW.COURTSTUFF.COM/5TH

March 17, 1999

Supreme Court of Texas
ATTN: John Adams, Clerk
P.O. Box 12248
Austin, TX 78711

RE: 05-98-00863-CR through 05-98-00866-CR
Calvin Sharper v. The State of Texas

Dear Mr. Adams:

It has come to our attention that your court did not receive a copy of this court's September 30, 1998 order. Enclosed is a copy of that order along with copies of Appellant's Motion to Transfer.

If anything additional is needed from our court, please don't hesitate to call me at 214-712-3445.

Sincerely,

A handwritten signature in cursive script that reads "Tania Bailey".

Tania Bailey
Deputy Clerk

enc.

Order issued September 30, 1998



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-98-00863-CR
No. 05-98-00864-CR
No. 05-98-00865-CR
No. 05-98-00866-CR

CALVIN SHARPER, Appellant

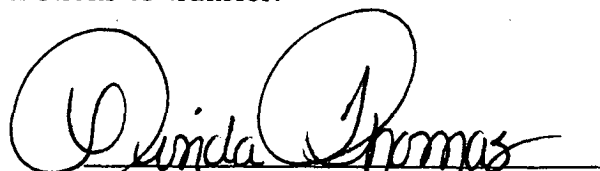
V.

THE STATE OF TEXAS, Appellee

ORDER

The Court has before it appellant's September 14, 1998 motions to transfer these cases to the Sixth District Court of Appeals in Texarkana. This Court does not have authority to transfer the cases to another appellate court. *See* TEX. GOV'T CODE ANN. § 73.001 (Vernon 1988); *Miles v. Ford Motor Co.*, 914 S.W.2d 135, 137 (Tex. 1995). Accordingly, we have forwarded the motions to the Texas Supreme Court for consideration. *See Miles*, 914 S.W.2d at 137 & n.2. The above-numbered appeals are **ABATED** pending

the Supreme Court's determination of the motions to transfer.



LINDA THOMAS
CHIEF JUSTICE

No. 05-98-00863-CR

FILED IN
COURT OF APPEALS
SEP 14 1998

LISA ROMBOK
CLERK, 5th DISTRICT

IN THE
COURT OF APPEALS
FIFTH DISTRICT OF TEXAS
AT DALLAS

CALVIN SHARPER,
Appellant

v.

THE STATE OF TEXAS

MOTION TO TRANSFER

On Appeal from the
Criminal District Court No. 3 of
Dallas County, Texas
Trial Court No. F98-00760-J

TO THE HONORABLE JUSTICE OF THE COURT OF APPEALS:

COMES NOW CALVIN SHARPER, appellant in the above styled and numbered cause and respectfully moves this Court to transfer this case to the Court of Appeals, Sixth District of Texas at Texarkana and in support, appellant would show the following:

1. This is an appeal from a jury trial which was consolidated for trial with a co-defendant, Kevin Beasley, under

cases styled The State of Texas v. Kevin Beasley under the trial court cause numbers (1) F98-00762-J; (2) F98-00763-J; (3) F98-00764-J; and (4) F98-00765-J.

2. Co-defendant Beasley gave notice of appeal to this Court on each of the above cases.

3. By previous order of this Court, the appeals of Beasley's convictions were transferred to the Sixth District of Texas and such appeals are now pending in that court under case numbers (1) 06-98-00097-CR; (2) 06-98-0098-CR; (3) 06-98-00099; and (4) 06-98-00100-CR, respectively.

4. Given that co-defendant Beasley's appeals have been transferred to the Texarkana court of appeals, in the interest of judicial economy it would be appropriate for appellant Sharper's appeals to be likewise transferred to Texarkana.

WHEREFORE, PREMISES CONSIDERED, appellant prays that this appeal be transferred as requested herein.

Respectfully submitted,



J. STEPHEN COOPER

3524 Fairmount Street
Dallas, Texas 75219
214-522-0670
FAX 214-526-0849
SBN 04780100

Counsel for Appellant

FILED IN
COURT OF APPEALS
SEP 14 1998
LISA ROMBOK
CLERK, 5th DISTRICT

No. 05-98-00864-CR

IN THE
COURT OF APPEALS
FIFTH DISTRICT OF TEXAS
AT DALLAS

CALVIN SHARPER,
Appellant

v.

THE STATE OF TEXAS

MOTION TO TRANSFER

On Appeal from the
Criminal District Court No. 3 of
Dallas County, Texas
Trial Court No. F98-00766-J

TO THE HONORABLE JUSTICE OF THE COURT OF APPEALS:

COMES NOW CALVIN SHARPER, appellant in the above styled and numbered cause and respectfully moves this Court to transfer this case to the Court of Appeals, Sixth District of Texas at Texarkana and in support, appellant would show the following:

1. This is an appeal from a jury trial which was consolidated for trial with a co-defendant, Kevin Beasley, under

cases styled The State of Texas v. Kevin Beasley under the trial court cause numbers (1) F98-00762-J; (2) F98-00763-J; (3) F98-00764-J; and (4) F98-00765-J.

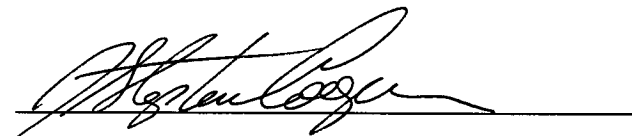
2. Co-defendant Beasley gave notice of appeal to this Court on each of the above cases.

3. By previous order of this Court, the appeals of Beasley's convictions were transferred to the Sixth District of Texas and such appeals are now pending in that court under case numbers (1) 06-98-00097-CR; (2) 06-98-0098-CR; (3) 06-98-00099; and (4) 06-98-00100-CR, respectively.

4. Given that co-defendant Beasley's appeals have been transferred to the Texarkana court of appeals, in the interest of judicial economy it would be appropriate for appellant Sharper's appeals to be likewise transferred to Texarkana.

WHEREFORE, PREMISES CONSIDERED, appellant prays that this appeal be transferred as requested herein.

Respectfully submitted,



J. STEPHEN COOPER

3524 Fairmount Street
Dallas, Texas 75219
214-522-0670
FAX 214-526-0849
SBN 04780100

Counsel for Appellant



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

JUSTICES

NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

March 24, 1999

Ms. Lisa Rombok, Clerk
Dallas County Courthouse
600 Commerce Street, 2nd Flr.
Dallas, Texas 75202-4658

Dear Ms. Rombok,

Enclosed is a copy of an order of The Supreme Court of Texas of this date concerning cases to be transferred from your court to the Sixth Court of Appeals.

Sincerely,

SIGNED
John T. Adams
Clerk

Encl.

cc: Ms. Tibby Hopkins, Clerk
Sixth Court of Appeals

Office of Court Administration