

No. AP-76,675

IN THE COURT OF CRIMINAL APPEALS OF TEXAS
AT AUSTIN

HENRY W. SKINNER,
Appellant,

v.

STATE OF TEXAS,
Appellee.

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COURT OF CRIMINAL APPEALS
JUN 1 - 2012
Louise Pearson, Clerk

On Appeal from the 31st District Court of Gray County, Texas

Appellee's Advisory

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL
APPEALS:

Currently before the Court is Appellant Henry W. Skinner's appeal of the trial court's order denying his Third Motion for DNA Testing under Chapter 64 of the Texas Code of Criminal Procedure. Until now, the State has opposed Skinner's request for DNA testing and argued to affirm the trial court's ruling on appeal. Upon further consideration, the State believes that the interest of justice would best be served in this case by DNA testing the evidence requested by Skinner and by testing additional items identified by the State. Skinner's counsel have been notified of the State's intention and

the parties have reached a preliminary understanding to do so by agreed order. The State has drafted a proposed Agreed Joint Order of the Parties for DNA Testing to give effect to that intent. The State will submit a further advisory when, and if, the trial court signs an agreed order.

Respectfully submitted,

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I certify that on June 1, 2012, this Advisory was served upon the following counsel of record:

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