

and the record from the hearing Ordered by this Honorable Court,
not being filed.

III.


That on June 13, 1997, Appellant's Counsel received a copy
of the Trial Court's Findings of Facts, which Counsel is
attaching as Exhibit "A".

WHEREFORE, PREMISES CONSIDERED, the appellant respectfully
prays that this Honorable Court grant the foregoing motion in all
things, and for such other and further relief as the Appellant
might show herself entitled to receive.

RESPECTFULLY SUBMITTED,

JOHN R. HEATH
ATTORNEY AT LAW
1308 RAGUET STREET
NACOGDOCHES, TEXAS 75961
PHONE: 409-564-8744

BY


JOHN R. HEATH
STATE BAR NO. 09348000
COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I, JOHN R. HEATH, do hereby certify that a true and correct copy of the foregoing Motion For Leave for the Official Court Reporter To File Late Statement of Facts, has been mailed pursuant to the applicable rules of procedure, to the District Attorney of Angelina County, the Official Court Reporter, Thomas Snead, Jr. and the Clerk of the Ninth Court of Appeals.

Signed this 23 day of June, 1997.


JOHN R. HEATH

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT OF TEXAS

DESIREE SHAW

VS.

THE STATE OF TEXAS

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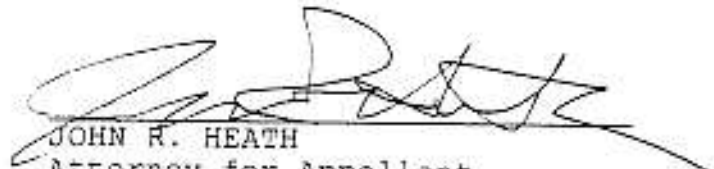
TRIAL COURT NO. 19,058
CASE NO.

VERIFICATION

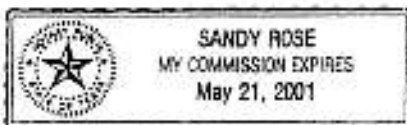
BEFORE ME, the undersigned authority, personally appeared John Heath and stated as follows:

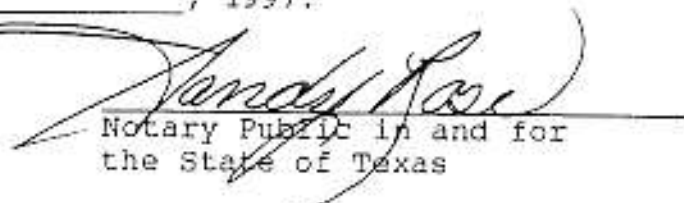
"My name is John Heath. I am the attorney for the Appellant, DESIREE SHAW."

"I have read the foregoing Motion for Leave to File Late Statement of Facts and the contents are true and correct to the best of my knowledge."


JOHN R. HEATH
Attorney for Appellant

Subscribed and sworn to before me, a Notary Public, on the 23rd day of June, 1997.




Notary Public in and for
the State of Texas