



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

---

No. 07-19-00034-CR

---

**JOSE TRINIDAD, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

---

---

**On Appeal from the 290th District Court  
Bexar County, Texas  
Trial Court No. 2018CR2027; Honorable Melisa C. Skinner, Presiding**

---

---

March 25, 2019

**ABATEMENT AND REMAND**

**Before QUINN, C.J., and PIRTLE and PARKER, JJ.**

Appellant, Jose Trinidad, appeals his conviction of indecency with a child by sexual contact<sup>1</sup> and sentence to twenty years confinement. The appellate record was due February 11, 2019. The clerk's record was timely filed, but the reporter's record was not filed by this deadline.<sup>2</sup> By letter dated February 19, we notified the reporter that the

---

<sup>1</sup> TEX. PENAL CODE ANN. § 21.11 (West Supp. 2018).

<sup>2</sup> Only portions of the reporter's record were filed with this court, to-wit: the "Application for Writ of Habeas Corpus Seeking Bond Reduction" and "Motion for Continuance."

reporter's record was overdue and directed her to advise this court of the status of the record by March 1. To date, the reporter has not filed the complete reporter's record.

The court reporter is responsible for preparing, certifying, and timely filing the reporter's record. TEX. R. APP. P. 35.3(b). Additionally, trial and appellate courts are jointly responsible for ensuring that the appellate record is timely filed. TEX. R. APP. P. 35.3(c). Consequently, we now abate this appeal and remand the cause to the trial court for further proceedings.

Upon remand, the trial court shall utilize whatever means necessary to determine the reasons for the delay in filing the reporter's record and take such action as is necessary to ensure the filing of same on or before April 29, 2019. See TEX. R. APP. P. 37.3(a)(2). In that event, the trial court shall enter findings of fact and conclusions of law and shall cause its findings, conclusions, and any necessary orders to be included in a supplemental clerk's record filed with this court by April 29, 2019.

Should the reporter file the complete reporter's record on or before April 15, 2019, she is directed to immediately notify the trial court of the filing, in writing, whereupon the trial court shall not be required to take any further action.

It is so ordered.

Per Curiam

Do not publish.