

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00603-CV

Amanda Salazar, Appellant

v.

Texas Department of Family and Protective Services, Appellee

**FROM THE DISTRICT COURT OF TOM GREEN COUNTY, 340TH JUDICIAL DISTRICT
NO. C-09-0124-CPS, HONORABLE JAY K. WEATHERBY, JUDGE PRESIDING**

MEMORANDUM OPINION

PER CURIAM

Appellant Amanda Salazar's brief was due in this Court on October 27, 2010. On November 16, 2010, this Court sent notice to Salazar's appointed counsel, Rosemary Rose, that her brief was overdue and that if we did not receive from counsel a satisfactory response to this notice on or before November 29, 2010, a hearing before the district court would be ordered. As of this date, counsel has not filed her brief or responded to this Court's notice.

The appeal is abated. The district court shall conduct a hearing to determine whether Salazar desires to prosecute this appeal and whether appointed counsel has abandoned the appeal. *See* Tex. R. App. P. 38.8(b)(2); *see also In re T.V.*, 8 S.W.3d 448, 449-50 (Tex. App.—Waco 1999, no pet.) (applying Rule 38.8(b) to suit involving termination of parental rights). The court shall make appropriate findings and recommendations. A record from this hearing, including copies of all findings and orders and a transcription of the court reporter's notes, shall be forwarded to the

clerk of this Court for filing as a supplemental record no later than February 7, 2011. *See* Tex. R. App. P. 38.8(b)(3).

Before Justices Puryear, Pemberton and Rose

Abated

Filed: January 7, 2011