

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00032-CR

Jeffery Sharp, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF BURNET COUNTY, 33RD JUDICIAL DISTRICT
NO. 38147, HONORABLE GUILFORD L. JONES III, JUDGE PRESIDING**

MEMORANDUM OPINION

PER CURIAM

Appellant Jeffery Sharp filed his notice of appeal on January 17, 2012. Appellant requested and received two extensions of time to file his brief, which was due August 15, 2012. This Court notified appellant on September 10, 2012 that his brief was overdue. To date, appellant's brief has not been filed and appellant's retained counsel, Scott Pawgan, did not respond to this Court's notice.

The appeal is abated. The trial court shall conduct a hearing to determine whether appellant desires to prosecute this appeal, whether he is indigent, and whether his retained counsel has abandoned this appeal. *See* Tex. R. App. P. 38.8(b)(2). The court shall make appropriate findings and recommendations. *See id.* 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 November 19, 2012. *See* Tex. R. App.

P. 38.8(b)(3).

Before Chief Justice Jones, Justices Rose and Goodwin

Abated

Filed: October 24, 2012

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