

Order entered March 5, 2013



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-12-01565-CR

DOMINIC RAUL SANCHEZ, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court No. 2
Dallas County, Texas
Trial Court Cause No. F10-53887-I

ORDER

The Court **REINSTATES** this appeal.

On February 26, 2013, this Court adopted the trial court's findings and ordered appellant to file his brief within thirty days. Now, we have received amended findings from the trial court. Thus, we **VACATE** the February 26, 2013 order as to the findings and **ADOPT** the amended findings that: (1) trial counsel did not waive a court reporter for the December 10, 2010 hearing; (2) the record does not reflect who recorded the hearing, but it was not the official reporter; (3) the trial judge, prosecutor, and defense counsel have no recollection regarding which reporter recorded the hearing; (4) appellant's counsel properly requested the reporter's record for the December 10, 2010 hearing be included in the appellate record; (5) the reporter's record for the

December 10, 2010 hearing cannot be reproduced; (6) appellant is not at fault; and (7) the parties cannot agree on a substitute record as no person recalls what occurred.

We **ORDER** Robert T. Baskett to file appellant's brief within **THIRTY DAYS** from the date of this order.

/s/ CAROLYN WRIGHT
CHIEF JUSTICE