

NO. 07-12-0287-CR
NO. 07-12-0288-CR

IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
AUGUST 28, 2012

KEITH TAYLOR, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

FROM THE 390TH DISTRICT COURT OF TRAVIS COUNTY;

NOS. D-1-DC-11-300144 & D-1-DC-12-904028;

HONORABLE JULIE KOCUREK, JUDGE

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

**ORDER ON MOTION FOR LEAVE TO FILE
AND
MOTION FOR REHEARING**

Pending before this Court is Appellant's *pro se Motion for Leave to File and Motion for Rehearing*. We grant the motion for leave to file and continue the motion for rehearing consistent with this order.

MOTION FOR LEAVE TO FILE

Appellant, an inmate incarcerated at the Byrd Unit of the Texas Department of Criminal Justice, requests leave of this Court to file a single copy of his motion for rehearing due to his lack of access to a copy machine. For good cause shown, we grant Appellant's request and, for purposes of this proceeding only, do suspend the requirement of Rule 9.3 of the Texas Rules of Appellate Procedure pertaining to the filing of an original and two copies of all motions in an appellate proceeding. Tex. R. App. P. 2.

MOTION FOR REHEARING

Without deciding the merits of Appellant's motion for rehearing, we note that Appellant contends that his failure to respond to this Court's letter of July 11, 2012, inviting him to either file an amended trial court certification showing a right of appeal or otherwise demonstrate grounds for continuing his appeal, was due to his failure to timely receive that letter on account of his untimely transfer between units of the Texas Department of Criminal Justice. Assuming without deciding that Appellant did not receive our correspondence, in the interest of justice, and prior to ruling on his motion for rehearing, we hereby *sua sponte* grant Appellant the opportunity to respond on or before September 17, 2012. Appellant's motion for rehearing will be submitted to the Court for consideration at that time.

It is so ordered.

Per Curiam

Do not publish.