



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

No. 07-17-00334-CR
No. 07-17-00335-CR

JEREMY LYNN FIGUEREDO, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 69th District Court
Hartley County, Texas
Trial Court No. 1256H, Counts I & II; Honorable Richard Dambold, Presiding

October 5, 2017

ORDER OF ABATEMENT AND REMAND

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

Appellant, Jeremy Lynn Figueredo, appearing *pro se*, appeals his convictions for two counts of bail jumping.¹ He was sentenced to three years confinement for each count, with the sentences to run concurrently. We abate the appeals and remand the causes for further proceedings.

¹ TEX. PENAL CODE. ANN. § 38.10(a), (f) (West 2016).

In a related matter, Appellant was indicted and arrested for burglary of a habitation and evading arrest under trial court cause number 1232H. After failing to appear in court following his release on bond from those charges, Appellant was indicted on two counts of bail jumping—the offenses at issue here—under trial court cause number 1256H. He was subsequently convicted of evading arrest and sentenced to ten years confinement. Approximately three months later, he was convicted on the two evading arrest charges. According to the judgments, his sentences for the bail jumping offenses are to run concurrently with his sentence for evading arrest.

Appellant's appeal from the evading arrest conviction is currently pending in this court under cause number 07-17-00197-CR. In that appeal, Appellant filed a *pro se* notice of appeal requesting appointed appellate counsel. Thus, on June 28, 2017, we remanded that cause to the trial court to determine whether Appellant was indigent and entitled to appointed counsel. See *Figueredo v. State*, No. 07-17-00197-CR, 2017 Tex. App. LEXIS 6017 (Tex. App.—Amarillo June 28, 2017, order) (per curiam) (not designated for publication). On July 10, 2017, the trial court found Appellant to be indigent and appointed Mr. Brooks Barfield as his appellate counsel.

In the appeals from his bail jumping convictions, Appellant also filed a *pro se* notice of appeal but did not request the appointment of counsel. The appellate record was due on September 22, 2017. The clerk's record has been filed. However, on September 27, the reporter notified the court that Appellant had not requested preparation of the reporter's record. See TEX. R. APP. P. 35.3(b)(2).

Because Appellant is unrepresented by counsel at this critical stage of his appeals, we now abate the appeals and remand the causes to the trial court for further proceedings. Upon remand, the trial court shall determine the following:

1. whether Appellant still desires to prosecute the appeals;
2. whether Appellant is indigent and entitled to the appointment of appellate counsel; and
3. whether Appellant is indigent and entitled to a free reporter's record.

Should it be determined that Appellant wants to continue the appeals and that he is indigent and entitled to appointed counsel, the name, address, email address, telephone number, and State Bar of Texas identification number of counsel shall be provided to the clerk of this court. Likewise, if the trial court appoints appellate counsel, it shall also order the official court reporter to prepare and file a reporter's record on or before thirty days following the date of the trial court's order. Furthermore, the trial court shall execute 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 to be filed with the clerk of this court by November 6, 2017. All other appellate deadlines are suspended pending reinstatement of these appeals.

It is so ordered.

Per Curiam

Do not publish.