



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

No. 07-22-00036-CR

LUCIO DELOSSANTOS-NARVAEZ, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 137th District Court
Lubbock County, Texas
Trial Court No. DC-2021-CR-0752 (Counts I & II),
Honorable John J. "Trey" McClendon III, Presiding

July 19, 2022

ORDER OF ABATEMENT AND REMAND

Before QUINN, C.J., and PARKER and DOSS, JJ.

Appellant Lucio Delossantos-Narvaez appeals his convictions for continuous sexual abuse of a child¹ and indecency with a child.² The appellate record has been filed and Appellant's brief is presently due July 21, 2022. Now pending before this Court is the motion to withdraw of Appellant's appointed counsel, Mike Brown. Brown requests that

¹ See TEX. PENAL CODE ANN. § 21.02(b).

² See TEX. PENAL CODE ANN. § 21.11(a)(1).

we permit him to withdraw due to health issues and to direct the trial court to appoint new counsel. We abate the appeal and remand the cause to the trial court for further proceedings.

Upon remand, the trial court shall determine (1) whether Appellant still desires to prosecute the appeal; (2) whether to grant Appellant's counsel's motion to withdraw; and (3) whether Appellant is indigent and entitled to appointment of new counsel. See TEX. CODE CRIM PROC. ANN. art. 1.051(d)(1), 26.04; TEX. R. APP. P. 25.2(g). If the trial court grants the motion to withdraw and appoints Appellant new counsel, the name, address, email address, phone number, and state bar number of any newly appointed counsel shall be included in the Court's findings. The trial court may also enter such orders necessary to address the aforementioned questions. The trial court's findings and any orders issued shall be included in a supplemental clerk's record filed with this Court by August 18, 2022.

It is so ordered.

Per Curiam

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