



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

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No. 07-22-00130-CV

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**L.T. RUNELS, JR., APPELLANT**

**V.**

**TAX LOANS USA, LTD., APPELLEE**

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On Appeal from the 99th District Court  
Lubbock County, Texas  
Trial Court No. 2019-534,715, Honorable Edward Lee Self, Presiding

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November 28, 2022

**ORDER OF ABATEMENT AND REMAND**

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

Appellant, L.T. Runels, Jr., an inmate proceeding pro se, appeals from the trial court's *Joint Summary Judgment*. The clerk's record has been filed. The reporter's record was due October 6, 2022, but was not filed because Runels purportedly failed to make payment arrangements for the record. On October 6, 2022, Runels filed documents with this Court indicating that he requested payment for the reporter's record from his inmate trust account. However, the reporter has notified the Court that she has yet to receive payment for the record.

It is the appellant's responsibility to request preparation and make payment arrangements for the reporter's record. See TEX. R. APP. P. 35.3(b). When an appellant fails to do so, we may consider and decide an appeal without a reporter's record, unless appellant is entitled to proceed without payment of costs. See TEX. R. APP. P. 37.3(c). Here, we are unable to determine whether Runels made arrangements to pay for the record.

Accordingly, we abate the appeal and remand this cause to the trial court to determine whether Runels 1) desires to prosecute his appeal, 2) if so, made arrangements to pay or paid for the reporter's record, and 3) if neither arrangements nor payment has been made, is he entitled to proceed without payment of costs. The trial court shall enter its findings in a written order and include the order in a supplemental clerk's record which it must cause to be filed with this Court by December 19, 2022.

Per Curiam