



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

---

No. 07-22-00185-CR

No. 07-22-00186-CR

---

**MICHAEL PAUL CONTRERAS, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

---

On Appeal from the 108th District Court  
Potter County, Texas  
Trial Court Nos. 079837-E-CR & 079836-E-CR, Honorable Douglas R. Woodburn, Presiding

---

November 7, 2022

**ORDER OF ABATEMENT AND REMAND**

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

Appellant, Michael Paul Contreras, appeals his convictions for possession of a deadly weapon in a penal institution<sup>1</sup> and assault on a public servant.<sup>2</sup> Appellant's brief is due November 30, 2022. Now pending before this Court is the motion to withdraw of

---

<sup>1</sup> See TEX. PENAL CODE ANN. § 46.10.

<sup>2</sup> See TEX. PENAL CODE ANN. § 22.01(b)(1).

appellant's appointed counsel, stating that counsel has accepted a new position with the Potter County District Attorney's Office and has closed his criminal defense practice.

Because the trial court has responsibility for appointing counsel to represent indigent defendants in criminal cases as well as the authority to relieve or replace appointed counsel, we abate the appeals and remand the causes to the trial court to rule on counsel's motion to withdraw. See TEX. CODE CRIM. PROC. ANN. arts. 1.051(d), 26.04(j)(2); *Enriquez v. State*, 999 S.W.2d 906, 907–08 (Tex. App.—Waco 1999, order). Upon remand, the trial court shall determine (1) whether appellant still desires to prosecute the appeals; (2) whether to grant appellant's counsel's motion to withdraw; and (3) if the motion to withdraw is granted, whether appellant is indigent and entitled to appointment of new counsel. See TEX. CODE CRIM. PROC. ANN. arts. 1.051(d), 26.04(j)(2).

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 to be filed with this Court by December 1, 2022.

It is so ordered.

Per Curiam

Do not publish.