



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-12-00415-CR

LORETTA J. MESERVE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 66th District Court  
Hill County, Texas  
Trial Court No. 36,293

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ORDER

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Loretta J. Meserve was convicted and sentenced on October 11, 2012.

Since then, Meserve has vacillated regarding whether she desires to be represented on appeal by an attorney or to represent herself. There have been a number of hearings conducted by the trial court to determine whether Meserve would represent herself in this appellate proceeding. We have reviewed the record as it relates to those proceedings and the trial court appears to have done everything possible to allow Meserve to express her desires and determined that she knowingly and voluntarily waived her right to appointed counsel on appeal. After the trial court made that

determination, Meserve sent correspondence to the trial court, who forwarded it to this Court, in which Meserve pleads for the appointment of counsel on appeal.

We reinstated this appeal on February 28, 2013 and instructed Meserve to notify this Court whether or not she intended to represent herself in this appellate proceeding or wished to have counsel appointed. We cautioned Meserve that appointed counsel would not necessarily be counsel of her choice and that the selection of counsel would be performed by the trial court. We further cautioned Meserve that, under the circumstances, once counsel was appointed at her request, she would no longer be entitled to represent herself in this appeal nor would she be authorized to discharge appointed counsel.

In a letter dated March 1, 2013, Meserve notified this Court that she wished to have counsel appointed to represent her in this appellate proceeding. She specifically stated that she understood she could not fire the appointed counsel.

Accordingly, this appeal is abated to the trial court to appoint counsel for Meserve in this appeal. A supplemental Clerk's Record containing the trial court's appointment is ordered to be filed within **28 days** from the date of this order.

PER CURIAM

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Order issued and filed March 21, 2013