

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-05-00443-CR**

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**Brian Thompson, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 147TH JUDICIAL DISTRICT  
NO. 2030759, HONORABLE WILFORD FLOWERS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant's brief was due September 29, 2005. Appellant's appointed attorney, Mr. Bruce P. Garrison, did not respond to this Court's notice that the brief is overdue.

The appeal is abated for the district court to conduct a hearing to determine whether counsel has abandoned the appeal. Tex. R. App. P. 38.8(b)(2). The court shall make appropriate findings and recommendations. If necessary, the court shall appoint substitute counsel who will effectively represent appellant on appeal. A record from this hearing, including copies of all findings and orders and a transcription of the court reporter's notes, shall be forwarded to the Clerk of this Court for filing as a supplemental record no later than November 28, 2005. Rule 38.8(b)(3).

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Jan P. Patterson, Justice

Before Justices B. A. Smith, Patterson and Puryear

Filed: November 2, 2005

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