

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-05-00664-CR

Renee Thompson, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 390TH JUDICIAL DISTRICT
NO. D-1-DC-04-300061, HONORABLE JULIE H. KOCUREK, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant's brief was originally due November 28, 2005. The time for filing was extended three times on counsel's motion. On February 1, 2006, in granting the third extension, this Court ordered appellant's attorney, Mr. Walter C. Prentice, to file a brief on appellant's behalf no later than February 27, 2006. Counsel did not file a brief as ordered.

The appeal is abated. The district court shall conduct a hearing to determine whether appellant desires to prosecute this appeal and if so, whether appellant's attorney, who was appointed by the court, has abandoned the appeal. *See* 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. 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 April 17, 2006. Rule 38.8(b)(3).

Bea Ann Smith, Justice

Before Justices B. A. Smith, Puryear and Waldrop

Filed: March 22, 2006

Do Not Publish