

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-11-00593-CV

Isela Moreno and Latief Bowser, Appellants

v.

Texas Department of Family and Protective Services, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 53RD JUDICIAL DISTRICT
NO. D-1-FM-11-000731, HONORABLE DARLENE BYRNE, JUDGE PRESIDING**

MEMORANDUM OPINION

PER CURIAM

Appellant Latief Bowser's brief was due March 26, 2012. The Court sent notice to relator's counsel that the brief was overdue and extended his briefing deadline to June 4, 2012. The brief has not been filed and relator's appointed counsel, John M. Sigman, did not respond to the Court.

The appeal is abated. The district court shall conduct a hearing to determine whether Bowser desires to prosecute this appeal, whether he is still indigent, and whether his appointed counsel has abandoned the appeal. *See* Tex. R. App. P. 38.8(b)(2); *see also In the Interest of T.V.*, 8 S.W.3d 448, 449-50 (Tex. App.—Waco 1999, no pet.) (applying Texas Rule of Appellate Procedure 38.8(b) to suit involving termination of parental rights). The court shall make appropriate findings and recommendations. 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 October 3, 2012. *See* Tex. R. App. P. 38.8(b)(3).

Before Chief Justice Jones, Justices Rose and Goodwin

Abated

Filed: August 29, 2012