

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

---

---

**NO. 03-12-00040-CV**

---

---

**Thomas Ellason, Appellant**

**v.**

**Estate of Camille Talitha Scott, Deceased, Appellee**

---

---

**FROM THE COUNTY COURT OF LLANO COUNTY  
NO. 06421, HONORABLE WAYNE BRASCOM, JUDGE PRESIDING**

---

---

**MEMORANDUM OPINION**

Appellant Thomas Ellason filed an affidavit of indigence, seeking to obtain a copy of the clerk's record without payment. The trial court clerk has filed a contest to Ellason's affidavit of indigence. We therefore abate the appeal to the trial court for determination of the contest to Ellason's affidavit pursuant to rule 20.1. *See* Tex. R. App. P. 20.1(h)(4) (if affidavit of indigence is filed in appellate court, appellate court may refer matter to trial court to hear evidence and grant appropriate relief). The trial court should make appropriate findings and conclusions and should arrange for the filing of supplemental clerk's and reporter's records related to the matter. Upon the trial court's resolution of the issue, we will reinstate the appeal.

---

David Puryear, Justice

Before Justices Puryear, Rose and Goodwin

Abated

Filed: October 9, 2013