

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00631-CV

Carolyn Barnes, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 368TH JUDICIAL DISTRICT
NO. 10-663-K368, HONORABLE LLOYD DOUGLAS SHAVER, JUDGE PRESIDING**

MEMORANDUM OPINION

PER CURIAM

Appellant Carolyn Barnes filed her notice of appeal on September 13, 2012, and her brief was due June 18, 2013. On July 24, 2013, this Court notified Barnes's appointed counsel, Todd S. Dudley, that the brief was overdue and requested a response by August 5, 2013. To date, the brief has not been filed and counsel has not responded to this Court's notice.

The appeal is abated. The trial court shall conduct a hearing to determine whether Barnes desires to prosecute this appeal, whether she is indigent, and whether her appointed counsel has abandoned this appeal. *See* Tex. R. App. P. 38.8(b)(2). The court shall make appropriate findings and recommendations. *See id.* 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 September 30, 2013. *See* Tex. R. App. P. 38.8(b)(3).

Before Justices Puryear, Rose, and Goodwin

Abated

Filed: August 29, 2013