

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-14-00737-CV

Chase Carmen Hunter, Appellant

v.

**Texas Department of Insurance, Eleanor Kitman in her (former) capacity, and
Julia Rathgeber in her official capacity, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 250TH JUDICIAL DISTRICT
NO. D-1-GN-13-001957, HONORABLE JOHN K. DIETZ, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

The trial court dismissed Hunter's case for want of prosecution. After filing a motion to reinstate in the trial court, Hunter timely filed a notice of appeal and also filed an affidavit of indigence for costs of appeal in this Court. The appellees timely filed a contest to Hunter's affidavit of indigence. *See* Tex. R. App. P. 20.1(e)(1).

We therefore abate the appeal. Within ten days of the date of this order, the trial court shall hold a hearing to consider evidence and grant appropriate relief, or it shall sign an order extending the time for a hearing. *See* Tex. R. App. P. 20.1(g)(1), (i)(2)(B). In no event shall the contest be heard later than twenty days from the date the trial court signs an order extending the time to conduct the hearing, and if the court determines that the contest should be sustained, it must sign a written order to that effect within the time period set for the hearing. *See* Tex. R. App. P.

20.1(i)(3), (4). The appeal will be reinstated no later than March 2, 2015. *See* Tex. R. App. P.

20.1(i)(4). If an order is signed sustaining the contest, the trial court will provide this Court with a supplemental record containing the order within five days after signing the order, or if a motion is filed challenging the order sustaining the contest, within three days after the motion is filed, whichever is earlier. *See* Tex. R. App. P. 20.1(j)(1), (3).

It is ordered on January 21, 2015.

Before Justices Puryear, Pemberton, and Field

Abated and Remanded

Filed: January 21, 2015