

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00420-CR

Karra Trichele Allen, Appellant

v.

The State of Texas, Appellee

**FROM DISTRICT COURT OF BURNET COUNTY, 33RD JUDICIAL DISTRICT
NO. 42765, HONORABLE J. ALLAN GARRETT, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Appellant Karra Tichele Allen's brief was originally due on October 15, 2015. On March 4, 2016, we granted appellant's third motion for extension of time and ordered appellant's appointed counsel to file a brief by April 25, 2016. We cautioned counsel that no further extensions would be granted and that if he failed to file the appellate brief by the deadline, we would refer the case to the trial court for a hearing pursuant to Tex. R. App. P. 38.8(b). To date, the brief has not been received.

We therefore abate the cause and remand it to the trial court to hold a hearing in accordance with rule 38.8 of the Rules of Appellate Procedure. Tex. R. App. P. 38.8(b)(2). The trial court shall conduct a hearing to determine whether appellant still wishes to prosecute this appeal and, if so, whether appointed counsel has abandoned the appeal. *See id.* If appellant desires to appeal, the trial court should make appropriate orders to ensure that appellant is adequately

represented on appeal. *See id.* A record of the hearing, including copies of all findings and any orders, shall be forwarded to the Clerk of this Court for filing as a supplemental record no later than thirty days from the date of this opinion. *See id.*

It is ordered June 23, 2016

Before Justices Puryear, Goodwin, and Field

Abated and Remanded

Filed: June 23, 2016

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