

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

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**NO. 03-19-00046-CR**

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**In re Samuel Adkins**

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**FROM THE 427TH DISTRICT COURT OF TRAVIS COUNTY  
NO. D-1-DC-13-904105, THE HONORABLE TAMARA NEEDLES, JUDGE PRESIDING**

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**ORDER AND MEMORANDUM OPINION**

**PER CURIAM**

Appellant Samuel Adkins seeks to appeal the trial court's order denying his motion for DNA testing. *See* Tex. Code Crim. Proc. arts. 64.01-.05. The clerk's record does not contain the required trial court's certification of appellant's right to appeal. *See* Tex. R. App. P. 25.2(a)(2) (requiring trial court to enter certification of defendant's right of appeal "each time it enters a judgment of guilt or other appealable order"), (d) (requiring record to include trial court's certification). Although the record contains a document entitled "trial court's certification of defendant's right of appeal," the document fails to indicate whether Adkins has the right of appeal.

This appeal is therefore abated and the trial court is directed to prepare and file its certification of Adkins's right of appeal as required by the Texas Rules of Appellate Procedure. *See* Tex. R. App. P. 25.2(a)(2), 44.4. A supplemental clerk's record containing the trial court's certification shall be filed with this Court no later than May 31, 2019. *See* Tex. R. App. P. 25.2(d), 34.5(c)(2).

It is so ordered on this the 16th day of May, 2019.

Before Chief Justice Rose, Justices Kelly and Smith

Abated and Remanded

Filed: May 16, 2019

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