



**NUMBER 13-08-057-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**SERGIO DANIEL GONZALES,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On appeal from the 197th District Court of Cameron County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justices Yañez, Garza, and Benavides  
Memorandum Opinion Per Curiam**

Appellant, Sergio Daniel Gonzales, was convicted of aggravated assault and evading arrest. He timely filed his notice of appeal on November 2, 2005, together with a motion for a free record. On November 29, the trial court denied appellant's motion for a free record. Appellant thereafter, on February 16, filed a separate notice of appeal of the

trial court's denial of his motion for a free record. This Court dismissed the appeal of the trial court's denial of a free record for want of jurisdiction. See *Gonzales v. State*, No. 13-05-00690-CR, 2008 Tex. App. LEXIS 3884, \*2 (Tex. App.—Corpus Christi May 29, 2008, pet. filed). We severed appellant's appeal of his conviction into the instant cause number. See *id.* We further directed appellant to request and pay, or make arrangements to pay, for preparing the appellate record, and notify this Court of the date on which he has done so, within 30 days of the date of that opinion or the appeal would be dismissed. *Id.*; see TEX. R. APP. P. 37.1, 44.3.

Appellant has failed to comply with this Court's directive, and has neither paid nor made arrangements to pay for the record, nor requested an extension of time to do so. Accordingly, the appeal is DISMISSED. See TEX. R. APP. P. 37.3(b).

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered and  
filed this the 21st day of August, 2008.