

FOURTH COURT OF APPEALS OF TEXAS

Ex parte Rodolfo Lopez Hernandez

No. 04-22-00780-CR · No. No. 04-22-00780-CR · Decided November 22, 2022

SUMMARY

The Fourth Court of Appeals of Texas ordered appellant Rodolfo Lopez Hernandez to provide written proof that he requested preparation of the reporter’s record and designated the proceedings and exhibits to be included. The order states that the reporter’s record must be filed within fifteen days after the proof is filed and explains the briefing consequences if appellant does not respond.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas
JURISDICTION	Texas
DECIDED	November 22, 2022
DOCKET	No. 04-22-00780-CR
DISPOSITION	other
PROCEDURAL POSTURE	During an appeal from the County Court of Kinney County, the court reporter notified the court that the reporter's record had not been filed because appellant had not designated the proceedings and exhibits to be included.
PRECEDENTIAL VALUE	Published order
PARTIES	Rodolfo Lopez Hernandez

TOPICS

- appellate procedure
- criminal procedure
- post-conviction relief

PRACTICE AREAS

- appellate procedure
- criminal procedure
- post-conviction relief

QUESTIONS PRESENTED

1. What procedure should govern when the reporter's record is late because the appellant has not designated the proceedings and exhibits to be included?

FACTUAL BACKGROUND

The court reporter notified the appellate court that the reporter's record had not been filed because appellant had not provided a designation of the record. The appellate court required appellant to request preparation of the reporter's record and designate the proceedings and exhibits to be included.

PROCEDURAL HISTORY

The appeal was pending in the Fourth Court of Appeals of Texas after proceedings in the County Court of Kinney County, Texas. The court reporter filed a notification of late record, and the appellate court ordered appellant to provide written proof that he had requested preparation of the reporter's record and had designated the portions and exhibits to be included.

DISPOSITION

other