

# COURT OF APPEALS FOR THE FIFTH DISTRICT OF TEXAS AT DALLAS

## Robert Howard Green v. State

Nos. 05-18-01068-CR and 05-18-01069-CR · No. Nos. 05-18-01068-CR and 05-18-01069-CR · Decided April 10, 2020

### SUMMARY

The Texas Court of Appeals for the Fifth District of Dallas ordered the court reporter to file a supplemental reporter's record from an October 17, 2019 hearing and related hearings. The order arose from issues concerning the reporter's record in two consolidated criminal appeals.

### CASE DETAILS

|                    |                                                                                                                                          |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | Court of Appeals for the Fifth District of Texas at Dallas                                                                               |
| JURISDICTION       | Texas                                                                                                                                    |
| DECIDED            | April 10, 2020                                                                                                                           |
| DOCKET             | Nos. 05-18-01068-CR and 05-18-01069-CR                                                                                                   |
| DISPOSITION        | other                                                                                                                                    |
| PROCEDURAL POSTURE | Appellant moved to supplement the appellate record after the appeals had been abated because of issues concerning the reporter's record. |
| PRECEDENTIAL VALUE | Published                                                                                                                                |
| PARTIES            | Robert Howard Green v. The State of Texas                                                                                                |

### TOPICS

[appellate procedure](#)[criminal procedure](#)

### PRACTICE AREAS

[Appellate procedure](#)[Criminal procedure](#)

### QUESTIONS PRESENTED

1. Whether the appellate court should require supplementation of the record with the reporter's record from the October 17, 2019 hearing and any related hearings.

### HOLDINGS

1. The court ordered the court reporter to file the supplemental reporter's record from the October 17, 2019 hearing and any other related hearings within fifteen days.

## KEY QUOTATIONS

*“We ORDER court reporter Debi Harris to file the supplemental reporter’s record from the October 17, 2019 hearing and any other hearings held by the Honorable Gary Stephens in conjunction with the November 26, 2019 “Trial Court’s Findings of Fact” WITHIN FIFTEEN DAYS of the date of this order.” (at 2)*

## FACTUAL BACKGROUND

The appellate court had abated the appeals because of issues concerning the reporter's record. The trial court held an October 17, 2019 hearing and later filed findings of fact on November 26, 2019. Although the reporter's record from the underlying trial had been filed, the record from the October 17 hearing and any related hearings had not been filed by the date of the order.

## PROCEDURAL HISTORY

The appeals arose from the 283rd Judicial District Court of Dallas County in trial court causes F16-76425-T and F16-76426-T. The appellate court previously abated the appeals concerning the reporter's record. After the trial court filed findings of fact from an October 17, 2019 hearing and the appellate court adopted those findings, the reporter's record from that hearing remained unfiled. The court ordered the court reporter to file the supplemental record and related hearing records within fifteen days.

## DISPOSITION

other

## REMAND INSTRUCTIONS

Court reporter Debi Harris was ordered to file within fifteen days the supplemental reporter's record from the October 17, 2019 hearing and any other hearings held by Judge Gary Stephens in conjunction with the trial court's findings of fact.