

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Antwon Carter v. State

No. 05-14-00822-CR · No. 05-14-00822-CR · Decided September 4, 2015

SUMMARY

The Texas Fifth Court of Appeals reinstated Antwon Carter’s criminal appeal. The court recognized Pamela Lakatos as Carter’s new appellate counsel and ordered that his brief be filed within sixty days, with no further extensions permitted.

CASE DETAILS

COURT	Court of Appeals of Texas, Fifth District at Dallas
WRITING FOR THE COURT	Carolyn Wright
JURISDICTION	Texas
DECIDED	September 4, 2015
DOCKET	05-14-00822-CR
DISPOSITION	other
PROCEDURAL POSTURE	Interlocutory appellate order reinstating the criminal appeal, replacing appellant's appointed counsel, and setting a deadline for appellant's brief.
PRECEDENTIAL VALUE	Published
PARTIES	Antwon Carter v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- appointment of appellate counsel

QUESTIONS PRESENTED

- Whether the appeal should be reinstated after appointment of new appellate counsel.
- Whether Pamela Lakatos should be designated as appellant's attorney of record and given sixty days to file appellant's brief.

KEY QUOTATIONS

“The Court REINSTATES the appeal.”

“We ORDER appellant to file his brief within SIXTY DAYS of the date of this order.”

FACTUAL BACKGROUND

The appeal had been pending for more than one year, and appellant's brief was five months overdue. The appellate court had ordered that Stephanie Hudson be removed as appellant's attorney and that new appellate counsel be appointed. The trial court appointed Pamela Lakatos and found that she should receive sixty days to file appellant's brief.

PROCEDURAL HISTORY

Carter appealed from the 296th Judicial District Court of Collin County. The appeal had been pending for more than one year, and appellant's brief was five months overdue. The appellate court previously ordered removal of Stephanie Hudson as appellant's attorney; after the trial court appointed Pamela Lakatos, the appellate court reinstated the appeal, designated Lakatos as counsel of record, and ordered the brief filed within sixty days.

DISPOSITION

other

OPINION

PER CURIAM.

Order entered September 4, 2015 In The Court of Appeals Fifth District of Texas at Dallas No. 05-14-00822-CR ANTWON CARTER, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 296th Judicial District Court Collin County, Texas Trial Court Cause No. 296-81511-2013 ORDER The Court REINSTATES the appeal.

On September 1, 2015, we ordered that Stephanie Hudson be removed as appellant's attorney and that the trial court appoint new counsel to represent appellant on this appeal. On September 2, 2015, we received the trial court's order appointing Pamela Lakatos as appellant's new attorney.

We DIRECT the Clerk to list Pamela Lakatos as appellant's attorney of record. We note that the trial court also made a finding that Ms. Lakatos should be given sixty days to file appellant's brief. We ORDER appellant to file his brief within SIXTY DAYS of the date of this order.

Because this appeal was filed more than one year ago and appellant's brief is already five months overdue from its original due date, no further extensions will be granted. We DIRECT the Clerk to send copies of this order to Pamela Lakatos and the Collin County District Attorney's Office. /s/ CAROLYN WRIGHT CHIEF JUSTICE

