

COURT OF APPEALS OF TEXAS, EIGHTH DISTRICT, EL PASO

John Melvin Foster, Jr. v. the State of Texas

Foster v. State · No. 08-22-00181-CR · Decided January 18, 2023

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS § JOHN MELVIN FOSTER, JR., § No. 08-22-00181-CR Appellant, § Appeal from the v. § 112th District Court THE STATE OF TEXAS, § of Reagan County, Texas State. § (TC# 02013) § ORDER The reporter's record was due to be filed on December 17, 2022, with a second request being granted until such time.

On December 19, 2022, Elizabeth Lusk, Official Court Reporter for the 112th District Court of Reagan County, filed a third request which was denied. As of this date, no reporter's record has been filed. Therefore, it will be necessary for the trial court to conduct a hearing.

Therefore, it is ORDERED that the trial court conduct a hearing to determine whether Appellant wishes to continue the appeal and whether Appellant has been deprived of a reporter's record. The trial court shall forward its findings to the District Clerk of Reagan County, Texas, on or before February 7, 2023.

The District Clerk shall prepare and forward a supplemental clerk's record containing the trial court's findings and forward the same to this Court on or before February 17, 2023. Further, the trial court's reporter shall prepare, certify, and file the record of the trial court proceedings with this Court on or before February 17, 2023. IT IS SO ORDERED this 18th day of January, 2023.

PER CURIAM Before Rodriguez, C.J., Palafox and Soto, JJ.