

COURT OF APPEALS OF THE FIFTH DISTRICT OF TEXAS AT DALLAS

Simon Samuel Lopez, Jr. v. State

No. 05-16-01024-CR · No. No. 05-16-01024-CR · Decided February 7, 2017

OPINION

PER CURIAM.

Order entered February 7, 2017 In The Court of Appeals Fifth District of Texas at Dallas No. 05-16-01024-CR SIMON SAMUEL LOPEZ, JR., Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 219th Judicial District Court Collin County, Texas Trial Court Cause No. 380-80596-10 ORDER The Court has before it appellant's February 2, 2017 motion to abate this appeal.

In the motion, appellant states he has asked both the Collin County District Clerk and court reporter Indu Baily to file supplemental records with various items not requested previously by former appellate counsel. Appellant contends these items, detailed in his January 25, 2017 requests to the district clerk and the court reporter (attached to the motion filed with this Court and on file in the trial court), are needed in order for him to file his brief.

He asks that we abate the appeal for thirty days in order to give the Collin County District Clerk and the Court Reporter time to file supplemental records. We GRANT appellant's motion to the extent that we ORDER the Collin County District Clerk and Court Reporter Indu Bailey to file supplemental records containing the items appellant requested on January 25, 2017 within THIRTY DAYS of the date of this order.

The supplemental records should contain only those items requested but not already filed in the September 26, 2016 clerk's record and the October 27, 2016 reporter's record. We ORDER appellant's brief filed no later than SIXTY DAYS from the date of this order.

We DIRECT the Clerk to send copies of this order to the Scott Becker, Presiding Judge, 219th Judicial District Court; Indu Bailey, court reporter, 219th Judicial District Court; Lynne Finley, Collin County District Clerk; and counsel for all parties. /s/ LANA MYERS JUSTICE