

FOURTEENTH COURT OF APPEALS OF TEXAS

Maria Corona v. State

No. 14-17-00821-CR · No. No. 14-17-00821-CR · Decided December 21, 2017

SUMMARY

The Fourteenth Court of Appeals orders the official court reporter to file the overdue reporter's record within 30 days. The order notes the courts' joint responsibility for timely filing and warns that failure to comply may result in a hearing in the trial court.

CASE DETAILS

COURT	Fourteenth Court of Appeals of Texas
JURISDICTION	Texas
DECIDED	December 21, 2017
DOCKET	No. 14-17-00821-CR
DISPOSITION	other
PROCEDURAL POSTURE	Criminal appeal in which the reporter's record had not been filed by the due date despite a prior order directing its filing.
PRECEDENTIAL VALUE	published
PARTIES	Maria Corona v. The State of Texas

TOPICS

appellate procedure

criminal procedure

PRACTICE AREAS

criminal appellate procedure

appellate record administration

QUESTIONS PRESENTED

1. What action should the appellate court take when the reporter's record has not been timely filed despite a prior order directing its filing?

HOLDINGS

1. Because the reporter's record had not been timely filed, the court ordered the official court reporter to file it within 30 days of the order and stated that no further extension would be entertained absent

exceptional circumstances.

KEY QUOTATIONS

“The trial and appellate courts are jointly responsible for ensuring that the appellate record is timely filed.”

FACTUAL BACKGROUND

The reporter's record in the criminal appeal was due on April 11, 2017 but had not been filed. The appellate court had previously ordered the official court reporter, Robin Rios, to file the record within 30 days, yet the record still had not been filed when the present order issued.

PROCEDURAL HISTORY

The reporter's record was due April 11, 2017. On October 25, 2017, the court ordered the official court reporter to file the record within 30 days, but the record remained unfiled. The Fourteenth Court of Appeals issued this order directing the reporter to file the record within 30 days and warning that it could direct the trial court to conduct a hearing if the order was not timely obeyed.

DISPOSITION

other

OPINION

PER CURIAM.

Order filed, December 21, 2017. In The Fourteenth Court of Appeals _____ NO. 14-17-00821-CR _____ MARIA CORONA, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 149th District Court Brazoria County, Texas Trial Court Cause No. 66522 ORDER The reporter's record in this case was due April 11, 2017. See Tex. R. App. P. 35.1.

On October 25, 2017, this court ordered the court reporter to file the record within 30 days. The record has not been filed with the court. Because the reporter's record has not been filed timely, we issue the following order.

We order Robin Rios, the official court reporter, to file the record in this appeal within 30 days of the date of this order. No further extension will be entertained absent exceptional circumstances. The trial and appellate courts are jointly responsible for ensuring that the appellate record is timely filed. See Tex. R. App. P. 35.3(c). If Robin Rios does not timely file the record as ordered, we may issue an order directing the trial court to conduct a hearing to determine the reason for the failure to file the record.

PER CURIAM

