

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Edward Romero v. State

No. 04-14-00500-CR · No. No. 04-14-00500-CR · Decided September 16, 2014

SUMMARY

The Texas Fourth Court of Appeals issued an order addressing the late filing of the reporter's record in Edward Romero's criminal appeal. After the trial court found Romero indigent and appointed counsel, the court set September 26, 2014, as the deadline for filing the reporter's record and stated that no further extensions would be granted absent extenuating circumstances.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Patricia O. Alvarez, Justice
JURISDICTION	Texas
DECIDED	September 16, 2014
DOCKET	No. 04-14-00500-CR
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order addressing the late filing of the reporter's record in a criminal appeal and the appellant's entitlement to appeal without paying the reporter's fee.
PRECEDENTIAL VALUE	published
PARTIES	Edward Romero v. The State of Texas

TOPICS

appellate procedure

criminal procedure

PRACTICE AREAS

criminal appellate procedure

indigent appeals

court records

QUESTIONS PRESENTED

1. Whether the reporter's record should be filed without requiring appellant to pay the reporter's fee after the trial court found appellant indigent.
2. What deadline should govern the filing of the overdue reporter's record.

HOLDINGS

1. After the trial court found appellant indigent and appointed counsel, the reporter's record was due to be filed without requiring appellant to pay the reporter's fee.
2. The reporter's record was ordered to be filed no later than September 26, 2014; absent extenuating circumstances, no further extensions would be granted.

FACTUAL BACKGROUND

The court reporter filed a second notice that the reporter's record was late and contended that appellant was not entitled to appeal without paying the reporter's fee. The trial court found appellant indigent and appointed counsel. The appellate court then notified the reporter of appellant's indigency and set a deadline for filing the reporter's record.

PROCEDURAL HISTORY

Court reporter Debra Doolittle filed a second notice of late record, asserting that appellant was not entitled to appeal without paying the fee. The trial court subsequently found appellant indigent and appointed counsel, and the appellate clerk notified the court reporter of that determination. The appellate court ordered that the reporter's record be filed by September 26, 2014, absent extenuating circumstances, and stated that no further extensions would be granted absent such circumstances.

DISPOSITION

other

OPINION

PER CURIAM.

The State of TexasAppellee/s Fourth Court of Appeals San Antonio, Texas September 16, 2014 No. 04-14-00500-CR Edward ROMERO, Appellant v. THE STATE OF TEXAS, Appellee From the 186th Judicial District Court, Bexar County, Texas Trial Court No. 2013CR3128 Honorable Maria Teresa Herr, Judge Presiding ORDER On August 11, 2014, court reporter Debra Doolittle filed her second notice of late record contending the appellant is not entitled to appeal without paying the fee.

On August 21, 2014, the trial court made a finding that the appellant was indigent and appointed counsel. On September 2, 2014, Ms. Doolittle was notified by the clerk of this court that appellant was determined to be indigent and appointed counsel.

The reporter's record is due to be filed no later than September 26, 2014. Absent extenuation circumstances, no further extensions will be granted. _____

Patricia O. Alvarez, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed

the seal of the said court on this 16th day of September, 2014.
_____ Keith E. Hottle Clerk of Court

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-fourth-court-of-appeals-of-texas-san-antonio/2014/edward-romero-v-state-onb2rv80>