

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

John Lyn Brown v. the State of Texas

No. 07-25-00203-CR · No. No. 07-25-00203-CR · Decided December 8, 2025

SUMMARY

The Seventh District Court of Appeals of Texas abates John Lyn Brown’s appeal from a judgment adjudicating him guilty of evading arrest in a motor vehicle and remands the matter to the trial court. The trial court must investigate the overdue reporter’s record, determine the time needed for completion, and file a supplemental clerk’s record containing its findings by January 7, 2026, unless the reporter files the record earlier.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Quinn, C.J.; Doss, J.; Yarbrough, J.
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	December 8, 2025
DOCKET	No. 07-25-00203-CR
DISPOSITION	remanded
PROCEDURAL POSTURE	Appellant appealed from a trial-court judgment adjudicating him guilty of evading arrest in a motor vehicle and sentencing him to thirty years of confinement. The appellate reporter's record was not timely filed.
PRECEDENTIAL VALUE	Nonprecedential; the opinion states: "Do not publish."
PARTIES	John Lyn Brown v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. What action should the appellate court take when the reporter's record has not been timely filed and the reporter has not communicated regarding the delay?
2. What findings and remedial actions must the trial court undertake to facilitate completion and filing of the reporter's record?

HOLDINGS

1. When the appellate record is not timely filed, the appellate court may abate the appeal and remand the cause for appropriate trial-court proceedings to determine the reason for the delay, the work remaining, and the time reasonably necessary to complete the record.
2. The trial court was required to determine what tasks remained to complete the reporter's record, why those tasks had not been completed, the reasonable time needed to complete them, and whether the reporter could complete them within that time; if more than thirty days were required, the trial court had to arrange for a substitute reporter.

KEY QUOTATIONS

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

“make whatever order is appropriate to avoid further delay and to preserve the parties’ rights”

FACTUAL BACKGROUND

The trial court adjudicated John Lyn Brown guilty of evading arrest in a motor vehicle and sentenced him to thirty years of confinement. The reporter's record was due on November 12, 2025, but had not been filed, and the reporter did not respond after the appellate court directed her to report on the record's status.

PROCEDURAL HISTORY

The appeal arose from the 100th District Court of Childress County, Texas, trial court cause number 8085. Because the reporter's record was overdue and the reporter had not responded to the appellate court's notice regarding its status, the court abated the appeal and remanded the cause for trial-court findings and corrective action.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The trial court shall determine what tasks remain to complete the reporter's record, why the reporter has not completed them, the reasonable time necessary for completion, and whether the reporter can complete the tasks within that time. If completion, certification, and filing will require more than thirty days, the trial court shall arrange for a substitute reporter. The trial court shall enter necessary orders, include its findings in a supplemental clerk's record, and file that record with the appellate court by January 7, 2026. If the reporter files

the record before the trial court acts, she must immediately notify the trial court in writing, and no further trial-court action is required.

OPINION

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-25-00203-CR JOHN LYN BROWN, APPELLANT V. THE STATE OF TEXAS, APPELLEE On Appeal from the 100th District Court Childress County, Texas Trial Court No. 8085, Honorable Dale A. Rabe, Jr., Presiding December 8, 2025 ORDER OF ABATEMENT AND REMAND Before QUINN, C.J, and DOSS and YARBROUGH, JJ. Appellant, John Lyn Brown, appeals from the trial court's judgment adjudicating him guilty of evading arrest in a motor vehicle 1 and sentencing him to thirty years of confinement.

The reporter's record was due on November 12, 2025, but was not filed. By letter of November 19, 2025, we notified the reporter that the record was overdue and 1 See TEX. PENAL CODE § 38.04. directed her to advise this Court of the status of the record by December 1, 2025.

The reporter has not filed the record or had any further communication with this Court to date. Accordingly, we abate the appeal and remand the cause to the trial court for further proceedings. See TEX. R. APP. P. 35.3(c) ("The trial and appellate courts are jointly responsible for ensuring that the appellate record is timely filed."); 37.3(a)(2) (requiring appellate courts to "make whatever order is appropriate to avoid further delay and to preserve the parties' rights" when the appellate record is not timely filed).

On remand, the trial court shall determine the following: (1) what tasks remain to complete the filing of the reporter's record; (2) why the reporter has not completed the necessary tasks; (3) what amount of time is reasonably necessary for the completion of those tasks; and (4) whether the reporter can complete the tasks within the time the trial court finds reasonable.

Should the trial court determine that the reporter will require more than thirty days to complete, certify, and file the reporter's record, it shall arrange for a substitute reporter to do so. The trial court is directed to enter such orders necessary to address the aforementioned questions. So too shall it include its findings on those matters in a supplemental clerk's record and cause that record to be filed with this Court by January 7, 2026.

Should the reporter file the record on or before the date the trial court acts per our directive, she is directed to immediately notify the trial court of the filing, in writing, whereupon the trial court shall not be required to take any further action. 2 It is so ordered. Per Curiam Do not publish. 3