

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Curtis Dewight Nelson v. State

No. 05-18-00890-CR · No. 05-18-00890-CR · Decided July 26, 2019

OPINION

Curtis Dewight Nelson v. State

PER CURIAM.

Order entered July 26, 2019 In The Court of Appeals Fifth District of Texas at Dallas No. 05-18-00890-CR CURTIS DEWIGHT NELSON, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 59th Judicial District Court Grayson County, Texas Trial Court Cause No. 068322

ORDER

We REINSTATE this appeal. We abated for a hearing to determine why appellant's brief, initially due on December 26, 2018, had not been filed. On July 22, 2019, the trial court held a hearing and found (1) appellant wants to prosecute this appeal and has not abandoned the appeal, (2) the trial court had attempted to reach Mr. Jarvis on "numerous occasions" but counsel had not responded to the court's attempts to contact him, (3) appointed counsel Don Jarvis, Jr. was out of the country and did not attend the hearing, (4) the State recommended Mr. Jarvis be removed and new counsel appointed, (5) Mr. Jarvis was removed, and (6) new counsel was appointed. The trial court then appointed Jeremy Oney. We DIRECT the Clerk of the Court to remove Don Jarvis, Jr. and list Jeremy Oney as appointed counsel of record for appellant. We ORDER appellant's brief due on or before September 20, 2019. We DIRECT the Clerk to send copies of this order to the Honorable Larry Phillips, Presiding Judge, 59th Judicial District Court; to Don Jarvis, Jr.; to Jeremy Oney; and to the Grayson County District Attorney's Office.

/s/ ROBERT D. BURNS, III

CHIEF JUSTICE