

FOURTEENTH COURT OF APPEALS OF TEXAS

Brealand Dwayne Combs v. State

No. 14-13-00261-CR · No. 14-13-00261-CR · Decided June 26, 2013

SUMMARY

The Fourteenth Court of Appeals of Texas orders the official court reporter to file the overdue reporter's record by July 22, 2013. The court warns that no further extension will be entertained absent exceptional circumstances and may direct the trial court to hold a hearing if the record is not timely filed.

CASE DETAILS

COURT	Fourteenth Court of Appeals of Texas
JURISDICTION	Texas
DECIDED	June 26, 2013
DOCKET	14-13-00261-CR
DISPOSITION	other
PROCEDURAL POSTURE	On appeal from the 178th District Court of Harris County, the appellate court considered a request for additional time to file the reporter's record.
PRECEDENTIAL VALUE	Nonprecedential procedural order
PARTIES	Brealand Dwayne Combs v. The State of Texas

TOPICS

appellate procedure

criminal procedure

PRACTICE AREAS

criminal appellate procedure

appellate record management

QUESTIONS PRESENTED

1. Whether the court should grant a second extension of time for filing the reporter's record when the record was not filed within the period granted by the first extension.

HOLDINGS

1. The court granted the second request for an extension and ordered the official court reporter to file the reporter's record on or before July 22, 2013.

KEY QUOTATIONS

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

FACTUAL BACKGROUND

The reporter's record in Combs's criminal appeal was due on May 21, 2013. The appellate court granted the court reporter a first extension through June 20, 2013, but the record had not been filed by the date of the order. The court therefore granted a second request for extension and directed the official court reporter to file the record by July 22, 2013.

PROCEDURAL HISTORY

The reporter's record was originally due May 21, 2013. The court granted a first extension until June 20, 2013, but the record was still not filed, prompting the court to grant a second extension and order the official court reporter to file the record by July 22, 2013.

DISPOSITION

other

OPINION

PER CURIAM.

Order filed, June 26, 2013. In The Fourteenth Court of Appeals _____ NO. 14-13-00261-CR _____ BREALAND DWAYNE COMBS, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 178th District Court Harris County, Texas Trial Court Cause No. 1287840 ORDER The reporter's record in this case was due May 21, 2013. See Tex. R. App. P. 35.1.

On June 10, 2013, this court granted the court reporters request for extension of time to file the record until June 20, 2013. To date, the record has not been filed with the court. Because the reporter's record was not filed within the time prescribed in the first request, the court GRANTS your second request and issues the following order.

We order Tammy Adams, the official court reporter, to file the record in this appeal on or before July 22, 2013. 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 Tammy Adams does not timely file the record as ordered, the Court

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

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