Fourth Court of Appeals
San Antonio, Texas

July 29, 2016

No. 04-16-00320-CR

Willie David **FLOYD,**
Appellant

v.

The **STATE** of Texas,
Appellee

From the 227th Judicial District Court, Bexar County, Texas
Trial Court No. 2014CR10665
Honorable Kevin M. O'Connell, Judge Presiding

O R D E R

The clerk's record has been filed in this appeal. The reporter's record was due July 18, 2016. On July 27, 2016, the court reporter filed a notification of late record stating the reporter's record was not filed because appellant has not requested a reporter's record, appellant has failed to pay or make arrangements to pay the reporter's fee for preparing the record, and appellant is not entitled to appeal without paying the fee. If appellant desires a reporter's record to be filed in this appeal, he must request that a reporter's record be prepared. *See* TEX. R. APP. P. 34.6(b)(1). Appellant is represented on appeal by retained counsel Mr. William L. Baskette.

Accordingly, if appellant desires a reporter's record, Mr. Baskette is hereby ORDERED to (1) request in writing, no later than August 8, 2016, that a reporter's record be prepared and (2) designate in writing, no later than August 8, 2016, the exhibits and those portions of the record to be included in the reporter's record. *Id.* Mr. Baskette is hereby ORDERED to file a copy of the request with both the trial court clerk, *id.* at 34.6(b)(2), and this court no later than August 8, 2016.

It is further ORDERED that Mr. Baskette provide written proof to this court no later than August 8, 2016 that either (1) the reporter's fee has been paid or arrangements have been made to pay the reporter's fee; or (2) appellant is entitled to appeal without paying the reporter's fee. If Mr. Baskette fails to provide such written proof within the time provided, appellant's brief will be due August 29, 2016, and this court will only consider those issues or points raised in appellant's brief that do not require a reporter's record for a decision. *See* TEX. R. APP. P. 37.3(c).

It is so ORDERED on July 29, 2016.

PER CURIAM

ATTESTED TO: _____
Keith E. Hottle
Clerk of Court

