Fourth Court of Appeals
San Antonio, Texas

August 22, 2016

No. 04-16-00079-CR

Daniel **RODRIGUEZ,**
Appellant

v.

The **STATE** of Texas,
Appellee

From the 187th Judicial District Court, Bexar County, Texas
Trial Court No. 2006CR4842
Honorable Steve Hilbig, Judge Presiding

O R D E R

On August 3, 2016, this court advised the trial court that because Appellant's brief has not been filed, the appeal has been abated and the cause remanded to the trial court for it to conduct an abandonment hearing in accordance with Rule 38.8(b). *See* TEX. R. APP. P. 38.8.

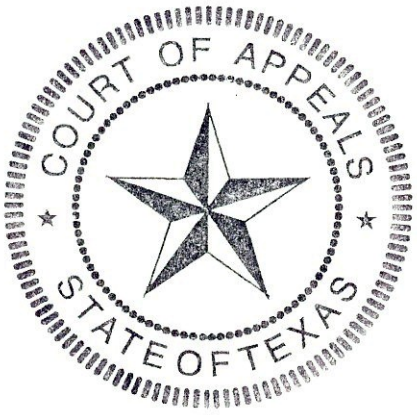
On August 18, 2016, the trial court requested an extension of time to conduct the hearing. The trial court's request is GRANTED. The trial court must hold a hearing as required by our August 3, 2016 order, but the deadline to file the required records is extended to October 3, 2016.

The trial court, at its discretion, may allow Appellant to appear by telephonic or other electronic means. However, the trial court shall order Appellant's counsel to appear in person at the hearing. *See id.* R. 38.8(b)(3).

All other appellate deadlines remain SUSPENDED pending further order of this court.

Patricia O. Alvarez, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 22nd day of August, 2016.



Keith E. Hottle
Clerk of Court