COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON

ORDER

Appellate case name: In re Commitment of Christopher Williams

Appellate case number: 01-16-00745-CV

Trial court case number: 974879-0101Z

Trial court: 178th District Court of Harris County

This case involves an appeal from a final judgment, signed by the trial court on June 6, 2016, in which the appellant, Christopher Williams, was adjudicated a sexually violent predator following a jury trial and he was civilly committed. *See* TEX. HEALTH & SAFETY CODE ANN. §§ 841.003, 841.081 (West Supp. 2016). Appellant timely filed a motion for new trial, but mistakenly filed a notice of appeal in the Fourteenth Court on September 9, 2016, which is deemed filed in the trial court on that date. *See* TEX. R. APP. P. 25.1(a), 26.1(a)(1). After the district clerk assigned this appeal to this Court on September 20, 2016, the clerk's record was filed in this Court on that date.

Within the clerk's record is appellant's "Motion for First Amended Original Notice of Appeal to Be Filed Timely" in which counsel requests an extension of time for his "First Amended Original Notice of Appeal," both filed on September 9, 2016, to be deemed timely filed as of September 6, 2016. *See* TEX. R. APP. P. 26.3. Appellant's motion to extend the time to file his first amended original notice of appeal is **granted** because the notice was filed within the 15-day grace period and the motion provides a reasonable explanation for the 3-day delay. *See* TEX. R. APP. P. 10.5(b), 26.1(b), 26.3; *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). The Clerk of this Court is **directed** to indicate on the docket sheet that appellant's motion for new trial was filed on July 5, 2016, and to file appellant's extension motion in this Court on September 9, 2016.

Also, though appellant failed to respond timely to the Clerk's December 1, 2016 late reporter's record payment notice, his extension request was still pending. Accordingly, appellant is **ORDERED** to pay, or make arrangements to pay, for the reporter's record, and file evidence of payment, **within 20 days of this order**. If appellant fails to comply timely with this Order, this Court will set the briefing schedule without a reporter's record. *See* TEX. R. APP. P. 37.3(c)(1), (2), 42.3(b), (c).

It is so ORDERED.

Judge's signature: /s/ Evelyn Keyes

X Acting individually ☐ Acting for the Court

Date: January 10, 2017