Order entered July 27, 2017

In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00784-CR

STEPHEN TIMMS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 204th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F06-00155-WQ

ORDER

Stephen Timms has filed a timely notice of appeal from the trial court's May 12, 2016 order denying DNA testing. We **ORDER** the trial court to conduct a hearing to determine whether appellant is entitled to court-appointed counsel in this appeal. If the trial court finds that appellant is entitled to court-appointed counsel, we **ORDER** the trial court to appoint an attorney to represent appellant in the appeal. If the trial court finds that appellant is not entitled to court-appointed counsel, the trial court shall determine whether appellant will retain counsel to represent him in the appeal and, if so, the name, State Bar number, and contact information for retained counsel.

We **ORDER** the trial court to transmit a record of the hearing, including findings of fact, any orders, and any supporting documentation, to this Court within **THIRTY DAYS** of the date of this order.

We **ABATE** the appeal to allow the trial court to comply with the order. The appeal will be reinstated thirty days from the date of this order or when the findings are received, whichever is earlier.

/s/ LANA MYERS
JUSTICE