Fourth Court of Appeals
San Antonio, Texas

November 21, 2018

No. 04-18-00860-CR

Ex parte Donald Curtis **BRASSFIELD**,
Appellant

From the 25th Judicial District Court, Guadalupe County, Texas
Trial Court No. 14-1899-CR-A
Honorable Jessica Crawford, Judge Presiding

O R D E R

On October 17, 2018, Appellant Donald Curtis Brassfield filed his notice of appeal stating his intent to appeal from the trial court's October 10, 2018 order denying relief on his application for writ of habeas corpus pursuant to article 11.072 of the Texas Code of Criminal Procedure. In this accelerated appeal, the reporter's record was due on November 1, 2018. On November 14, 2018, appellant's notice of appeal was filed with this Court. This Court determined that the reporter's record was due to be filed on November 1, 2018. Therefore, the Clerk of this Court sent the court reporter a letter informing her that the reporter's record was late. On November 19, 2018, the court reporter, Lori Schmid, filed a notification of late reporter's record, stating that she had not received a designation of record in order to know what record to prepare and she had not been paid for preparation of the record.

We ORDER appellant to file written proof to this court on or before **December 3, 2018** that he has filed a designation of record with court reporter Lori Schmid. *See* TEX. R. APP. P. 34.6(b)(1)-(2).

Further, we ORDER appellant to provide written proof to this court on or before **December 3, 2018** 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. *See* TEX. R. APP. P. 37.3(c).

If appellant fails to respond within the time provided, appellant's brief will be due within thirty days from the date of this order, and the 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 id.*

Karen Angelini, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 21st day of November, 2018.



Keith E. Hottle
Clerk of Court