



**Fourth Court of Appeals**  
**San Antonio, Texas**

May 20, 2020

No. 04-20-00130-CR

Reynaldo **MARTINEZ**

v.

The **STATE** of Texas

From the 399th Judicial District Court, Bexar County, Texas

Trial Court No. 2018CR12156W

Honorable Frank J. Castro, Judge Presiding

**O R D E R**

Appellant's court-appointed attorney has filed a brief and motion to withdraw pursuant to *Anders v. California*, 386 U.S. 738 (1967), in which he asserts there are no meritorious issues to raise on appeal. Counsel certifies he has served copies of the brief and motion on appellant, has informed appellant of his right to review the record and file his own brief, and has explained to appellant the procedure for obtaining the record. *See Nichols v. State*, 954 S.W.2d 83, 85 (Tex. App.—San Antonio 1997, no pet.); *Bruns v. State*, 924 S.W.2d 176, 177 n.1 (Tex. App.—San Antonio 1996, no pet.). However, the brief is not accompanied by an exhibit showing that counsel provided appellant with a form motion for this purpose. *See Kelly v. State*, 436 S.W.3d 313 (Tex. Crim. App. 2014).

If the appellant desires to request the appellate record, he must file the motion requesting the record on or before **June 9, 2020**. If appellant desires to file a pro se brief, he must do so on or before **June 29, 2020**. *See Bruns*, 924 S.W.2d at 177 n.1.

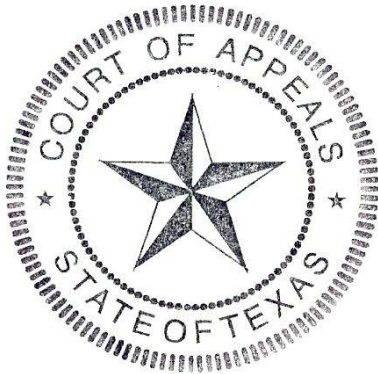
If appellant files a timely pro se brief, the State may file a responsive brief no later than thirty days after appellant's pro se brief is filed in this court. Alternatively, if appellant does not file a timely pro se brief, the State may file a brief in response to counsel's brief no later than thirty days after the pro se brief is due.

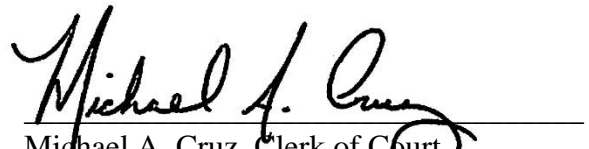
It is therefore **ORDERED** that appellant's attorney provide appellant with a copy of a form motion for the purpose of obtaining the appellate record and file the requisite motion and exhibit in this court on or before **June 1, 2020**. We further **ORDER** counsel's motion to

withdraw be **HELD IN ABEYANCE** pending further order of the court. *See Penson v. Ohio*, 488 U.S. 75, 80-82 (1988); *Schulman v. State*, 252 S.W.3d 403, 410-11 (Tex. Crim. App. 2008).

  
Irene Rios, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 20th day of May, 2020.



  
Michael A. Cruz, Clerk of Court