Appellant's Motion for Rehearing Granted, Opinion of June 22, 2000, Withdrawn, and Substitute Opinion filed August 31, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00572-CR

WALTER BALDWIN HARRIS, Appellant

V.

OPINION ON REHEARING

On June 22, 2000, this Court issued an opinion dismissing the appeal in this case pursuant to the trial court's finding that appellant had abandoned his appeal. We withdraw that opinion and issue the following opinion.

After a jury trial, appellant was convicted of the offense of unlawfully carrying a handgun, and sentenced to 2 years confinement in the Harris County Jail and a fine of \$750 on March 25, 1999.

On March 23, 2000, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On April 6, 2000, the trial court conducted the hearing. The trial court filed findings of fact in this Court on June 8, 2000.

The trial court found appellant has abandoned his appeal without making the necessary arrangements for filing the record.

On the basis of those findings, this court has considered the appeal without briefs. *See* TEX. R. APP. P. 38.8(b). The case is before us without a reporter's record or bill of exception. We find no fundamental error.

Accordingly, the judgment of the trial court is affirmed.

PER CURIAM

Judgment rendered and Opinion filed August 31, 2000.

Panel consists of Justices Fowler, Edelman, and Senior Justice Bill Cannon.¹

Do not publish - TEX. R. APP. P. 47.3(b).

¹Senior Justice Bill Cannon sitting by assignment.