

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-20-00160-CR

The State of Texas, Appellant

v.

Robert Brandon Minatra, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF COMAL COUNTY
NO. 2018CR0338, THE HONORABLE CHARLES A. STEPHENS II, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

The State of Texas has filed a motion to abate this appeal and remand this cause to the district court so that the district court may consider the State’s objections to the district court’s June 2, 2020 findings of fact and conclusions of law and the State’s request for additional findings and conclusions. *See* Tex. R. Civ. P. 298 (“After the court files original findings of fact and conclusions of law, any party may file with the clerk of the court a request for specified additional or amended findings or conclusions.”); *see also State v. Mendoza*, 365 S.W.3d 666, 670-71, 673 (Tex. Crim. App. 2012) (noting that appellate court may abate and remand cause for additional findings and conclusions from district court and that such findings and conclusions “ensure that reviewing courts need not presume, assume, or guess at what historical facts a trial judge actually found when making a ruling in a motion to suppress hearing”).

We grant the State's motion, abate this appeal, and remand this cause to the district court. A supplemental clerk's record containing the State's objections and the district court's additional findings and conclusions, if any, shall be filed with this Court by July 23, 2020. We will reinstate this appeal after the filing of the supplemental clerk's record.

It is ordered June 23, 2020.

Before Chief Justice Rose, Justices Baker and Triana

Abated and Remanded

Filed: June 23, 2020

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