



Mehta v. State

1998 | Cited 0 times | Court of Appeals of Texas | December 7, 1998

OPINION

Surendra Mehta appeals his conviction for assault. The jury found appellant guilty of the offense and assessed punishment at 250 days' confinement. On August 27, 1998, this Court ordered the trial court to conduct a hearing to determine why appellant's brief had not been filed in this cause and whether appellant desired to prosecute the appeal. On November 2, 1998, we adopted the trial court's findings that (1) appellant did not appear for the hearing, (2) appellant's court-appointed trial counsel did appear, (3) appellant is indigent, (4) appellant's trial counsel filed a notice of appeal to protect his client's rights should appellant desire to appeal, (5) there is no evidence that appellant has communicated with his attorney since his conviction, (6) there is no evidence that appellant desires to maintain this appeal, (7) no arrangements have been made by appellant or counsel for the procurement of the reporter's record, and (8) appellant does not desire to prosecute or maintain the appeal. We ordered the appeal submitted without the reporter's record and briefs. See Tex. R. App. P. 37.3

(c)(1), 38.8(b)(4).

Absent appellant's brief, no points of error are properly before the Court. Our examination of the record does not reveal any fundamental error. Accordingly, we affirm the trial court's judgment.

MARK WHITTINGTON, JUSTICE

Do Not Publish

Tex. R. App. P. 47.3971482F.U05

