

Affirmed and Opinion filed November 4, 1999.



In The

Fourteenth Court of Appeals

NO. 14-98-00769-CR

NO. 14-98-00770-CR

CHARLES EDWARD TERRELL, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the County Criminal Court at Law No. 6
Harris County, Texas
Trial Court Cause Nos. 97-37883 & 97-37882**

O P I N I O N

After a jury trial, appellant was convicted of two counts of theft, and on June 29, 1998, he was sentenced to 180 days confinement in the Harris County Jail, and 365 days confinement in the Harris County Jail, respectively, both of which were probated for two years.

On September 23, 1999, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On October 15, 1999, the trial court conducted the hearing, but appellant failed to appear. The trial court reset the hearing until October 19, 1999. Appellant again failed to appear.

Appellant's retained counsel appeared at both hearings. The trial court filed its findings and recommendations on October 22, 1999.

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

On the basis of those findings, this court has considered the appeal without briefs. *See* TEX. R. APP. P. 38.8(b). We find no fundamental error.

Accordingly, the judgment of the trial court is affirmed.

PER CURIAM

Judgment rendered and Opinion filed November 4, 1999.

Panel consists of Chief Justice Murphy, Justices Anderson and Hudson.

Do not publish - TEX.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