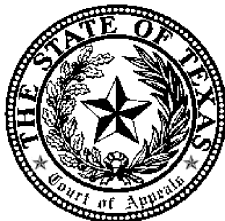


**Affirmed and Opinion filed November 15, 2001.**



**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-01-00148-CR**

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**KAMORU O. ONIGBANJO, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Criminal Court at Law No. 10  
Harris County, Texas  
Trial Court Cause No. 1023276**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of assault, and sentenced to twenty days in the Harris County Jail on October 27, 2000. On November 17, 2000, appellant filed a motion for new trial, which was overruled by operation of law. On January 29, 2001, appellant filed his notice of appeal. *See* TEX. R. APP. P. 26.2(a)(2); 9.2(b).

Appellant's brief was due on March 26, 2001, but was not filed. On May 8, 2001, and May 22, 2001, this court notified appellant and the trial court that no brief had been filed. No response was filed.

On July 19, 2001, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On August 16, 2001, we issued an abatement order, extending the time for the trial court to file its findings until September 17, 2001. After appellant failed to appear at the first setting, the trial court reset the matter and conducted the hearing on October 4, 2001. Appellate counsel and court personnel were unable to locate appellant to notify him of the hearing. The record of the hearing was filed in this court on November 7, 2001.

The trial court found appellant has taken no steps to prosecute his appeal and concluded he 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 15, 2001.

Panel consists of Chief Justice Brister, Justices Fowler and Seymore.

Do not publish - TEX.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