

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

Rene Escalante v. State

No. 04-14-00382-CR · No. No. 04-14-00382-CR · Decided October 27, 2014

SUMMARY

The Texas Fourth Court of Appeals grants in part the State’s motion for an extension of time to file its appellate brief. The brief deadline is extended to November 19, 2014.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourth District, San Antonio
WRITING FOR THE COURT	Patricia O. Alvarez
JURISDICTION	Texas
DECIDED	October 27, 2014
DOCKET	No. 04-14-00382-CR
DISPOSITION	other
PROCEDURAL POSTURE	Appellant's brief had been filed, and the State moved for an extension of time to file its appellee's brief. The court granted the motion in part.
PRECEDENTIAL VALUE	Published procedural order; no substantive legal holding stated in the provided text.
PARTIES	Rene Escalante v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure

QUESTIONS PRESENTED

- Whether the State should receive an extension of time to file its appellee's brief.

KEY QUOTATIONS

“The State’s motion is GRANTED, IN PART. The State’s brief is due to be filed no later than November 19, 2014.”

FACTUAL BACKGROUND

This order concerns appellate briefing deadlines rather than the merits of the underlying criminal case. Escalante filed his appellant's brief on September 19, 2014. The State sought an extension of time to file its brief, and the court extended the deadline to November 19, 2014, rather than the requested December 4, 2014 date.

PROCEDURAL HISTORY

The appeal was pending in the Fourth Court of Appeals of Texas from the 452nd District Court of Edwards County, Texas, trial court cause number 1679. After Escalante filed his brief on September 19, 2014, the State requested a forty-five-day extension, through December 4, 2014, to file its brief. The appellate court granted the motion in part and set November 19, 2014, as the deadline.

DISPOSITION

other

OPINION

PER CURIAM.

The State of TexasAppellee/s Fourth Court of Appeals San Antonio, Texas October 27, 2014 No. 04-14-00382-CR Rene ESCALANTE, Appellant v. THE STATE OF TEXAS, Appellee From the 452nd District Court, Edwards County, Texas Trial Court No. 1679 The Honorable Robert Hoffman, Judge Presiding ORDER Appellant's brief was filed on September 19, 2014.

The State's brief was due to be filed on October 20, 2014. On October 20, 2014, the attorney for the State of Texas filed a motion for extension of time requesting an extension of time until December 4, 2014, for a total of forty-five days.

The State's motion is GRANTED, IN PART. The State's brief is due to be filed no later than November 19, 2014. _____ Patricia O. Alvarez, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 27th day of October, 2014. _____ Keith E. Hottle Clerk of Court