

COURT OF APPEALS OF TEXAS, FOURTH COURT OF APPEALS, SAN ANTONIO

In the Interest of I.M.B., et al., Children

No. 04-13-00810-CV · No. 04-13-00810-CV · Decided January 10, 2014

SUMMARY

The Fourth Court of Appeals of Texas granted the appellant's first motion for an extension of time to file a brief in an accelerated appeal from an order terminating parental rights. The court extended the briefing deadline to January 28, 2014, and referenced Texas appellate and judicial administration rules governing briefing and disposition of SAPCR appeals.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourth Court of Appeals, San Antonio
WRITING FOR THE COURT	Patricia O. Alvarez
JURISDICTION	Texas
DECIDED	January 10, 2014
DOCKET	04-13-00810-CV
DISPOSITION	other
PROCEDURAL POSTURE	Accelerated appeal from an order terminating Appellant's parental rights; Appellant sought an extension of time to file the appellate brief.
PRECEDENTIAL VALUE	Published
PARTIES	Appellant whose parental rights were terminated

TOPICS

termination of parental rights parental rights appellate procedure family law procedure family law

PRACTICE AREAS

family law termination of parental rights appellate procedure

QUESTIONS PRESENTED

1. Whether Appellant should receive a twenty-day extension to file the brief in the accelerated appeal.

HOLDINGS

1. The court granted Appellant's first motion for extension of time and ordered that the brief be filed no later than January 28, 2014.

KEY QUOTATIONS

“Appellant’s motion is GRANTED. Appellant’s brief must be filed with this court not later than January 28, 2014.”

FACTUAL BACKGROUND

The underlying proceeding involved termination of Appellant's parental rights to the children identified in the caption. After the trial court entered its termination order, Appellant pursued an accelerated appeal and requested additional time to file the appellate brief.

PROCEDURAL HISTORY

The 45th Judicial District Court of Bexar County entered an order terminating Appellant's parental rights on November 4, 2013. In the accelerated appeal, Appellant's brief was due January 8, 2014. Appellant timely moved for a first extension of twenty days, which the court granted, setting January 28, 2014, as the new filing deadline.

DISPOSITION

other

OPINION

PER CURIAM.

FILE COPY In the Interest of I.M.B., et al., ChildrenAppellant/s Fourth Court of Appeals San Antonio, Texas January 10, 2014 No. 04-13-00810-CV IN THE INTEREST OF I.M.B., ET AL., CHILDREN, From the 45th Judicial District Court, Bexar County, Texas Trial Court No. 2009-PA-00997 Honorable Dick Alcala, Judge Presiding ORDER In this accelerated appeal of the November 4, 2013 order terminating Appellant’s parental rights, Appellant’s brief was due to be filed with this court on January 8, 2014.

See TEX. R. APP. P. 38.6(a). On the brief’s due date, Appellant filed a first motion for extension of time to file Appellant’s brief and requested an additional twenty days. Appellant’s motion is GRANTED. Appellant’s brief must be filed with this court not later than January 28, 2014. See id.; see also TEX. R. JUD. ADMIN. 6.2, available at <http://www.supreme.courts.state.tx.us/MiscDocket/11/11925100.pdf> (directing courts of appeals to dispose of SAPCR suits “[w]ithin 180 days of the date the notice of appeal is filed”).

Patricia O. Alvarez, Justice IN WITNESS
WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 10th day of January, 2014. _____ Keith E. Hottle Clerk of Court

