

**COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI-EDINBURG**

Julio Cesar Ramirez v. Jaime Cristobal Ramirez

No. 13-19-00114-CV · No. 13-19-00114-CV · Decided January 29, 2020

SUMMARY

The Thirteenth Court of Appeals of Texas granted the appellant's third motion for an extension of time to file an appellate brief. The court ordered the brief to be filed by February 4, 2020, stated that no further extensions would be granted absent exigent circumstances, and expressed disfavor with counsel's delay.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg
WRITING FOR THE COURT	Chief Justice Contreras; Justice Longoria; Justice Perkes
JURISDICTION	Texas
DECIDED	January 29, 2020
DOCKET	13-19-00114-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellant moved for a third extension of time to file his appellate brief after receiving two prior extensions.
PRECEDENTIAL VALUE	Published per curiam procedural order
PARTIES	Julio Cesar Ramirez v. Jaime Cristobal Ramirez

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

Appellate procedure

Civil procedure

QUESTIONS PRESENTED

1. Whether appellant should receive a third extension of time to file his appellate brief.

HOLDINGS

1. The court granted appellant's third amended motion for an extension and ordered counsel to file the appellate brief on or before February 4, 2020.

KEY QUOTATIONS

“The Court, however, looks with disfavor upon the delay caused by counsel's failure to have filed a brief in this matter.”

“No further extensions will be granted in this matter absent exigent circumstances.”

FACTUAL BACKGROUND

Appellant had not filed his appellate brief by the original September 4, 2019 deadline. The court had already granted two extensions, and appellant sought a third extension through a third amended motion. The appellate court granted the request in the interest of justice but criticized counsel's delay.

PROCEDURAL HISTORY

The appeal was taken from the 445th District Court of Cameron County, Texas. Appellant's brief was originally due September 4, 2019, and the court had previously granted two extensions. The court granted appellant's third amended motion and ordered the brief filed by February 4, 2020.

DISPOSITION

other

OPINION

PER CURIAM.

NUMBER 13-19-00114-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS CORPUS CHRISTI - EDINBURG JULIO CESAR RAMIREZ, Appellant, v. JAIME CRISTOBAL RAMIREZ, Appellee. On appeal from the 445th District Court of Cameron County, Texas. ORDER TO FILE APPELLATE BRIEF Before Chief Justice Contreras and Justices Longoria and Perkes Order Per Curiam This cause is before the Court on appellant's third amended motion for extension of time to file the brief.

Appellant's brief was originally due to be filed on September 4, 2019, and this Court previously granted appellant two extensions for the filing of appellant's brief in this cause. The Court, having fully examined and considered appellant's third motion for extension of time to file the brief and the extensions previously granted in this cause, is of the opinion that, in the interest of justice, appellant's third motion for extension of time to file the brief should be granted with Order.

The Court, however, looks with disfavor upon the delay caused by counsel's failure to have filed a brief in this matter. Appellant's third motion for extension of time to file the brief is hereby granted, and the Honorable Juan Angel Guerra, counsel for appellant, is hereby ORDERED to file the appellate brief with this Court on or before February 4, 2020. No further extensions will be granted in this matter absent exigent circumstances.

It is so ORDERED. PER CURIAM Delivered and filed the 29th day of January, 2020. 2