

COURT OF APPEALS OF TEXAS, THIRD DISTRICT AT AUSTIN

Gracy Woods I Nursing Home v. Martha Mahan, as Representative of the Estate of Mary Rivera

Gracy Woods · No. 03-15-00596-CV · Decided December 14, 2015

SUMMARY

This document is the appellee's unopposed second motion for an extension of time to file an appellate brief in an interlocutory appeal before the Third Court of Appeals of Texas. The appellee requests a seven-day extension, from December 14, 2015, to December 21, 2015, based on counsel's commitments in other matters. The motion includes certificates of conference and service.

CASE DETAILS

COURT	Court of Appeals of Texas, Third District at Austin
JURISDICTION	Texas
DECIDED	December 14, 2015
DOCKET	03-15-00596-CV
PROCEDURAL POSTURE	Appellee filed an unopposed second motion for a seven-day extension of time to file her brief in an interlocutory appeal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Gracy Woods I Nursing Home v. Martha Mahan, as Representative of the Estate of Mary Rivera

TOPICS

[interlocutory appeal](#) [appellate procedure](#) [civil procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#) [health law](#) [probate](#)

QUESTIONS PRESENTED

1. Whether the court should grant appellee an unopposed seven-day extension of time to file the appellee's brief.

FACTUAL BACKGROUND

The document concerns briefing in an interlocutory appeal rather than the merits of the underlying dispute. Appellee's brief was due December 14, 2015, and appellee requested a seven-day extension because counsel had commitments in other matters. Appellant did not oppose the requested extension.

PROCEDURAL HISTORY

The matter was pending before the Third Court of Appeals of Texas on interlocutory appeal from the 250th Judicial District Court of Travis County. Appellee requested an extension of the December 14, 2015 briefing deadline to December 21, 2015, stating that counsel's commitments in other matters required additional time. The motion states that appellant did not object.

OPINION

Gracy Woods I Nursing Home v. Martha Mahan, as the Representative of the Estate of Mary Rivera

PER CURIAM.

ACCEPTED

03-15-00596-CV 8218229

THIRD COURT OF APPEALS

AUSTIN, TEXAS

12/14/2015 11:10:10 AM

JEFFREY D. KYLE

CLERK

NO. 03-15-00596-CV

FILED IN

IN THE COURT OF APPEALS 3rd COURT OF APPEALS

THIRD DISTRICT OF TEXAS, AUSTIN AUSTIN, TEXAS

12/14/2015 11:10:10 AM

JEFFREY D. KYLE

Clerk

GRACY WOODS I NURSING HOME

Appellant, v.

MARTHA MAHAN, AS REPRESENTATIVE

OF THE ESTATE OF MARY RIVERA

Appellee.

ON INTERLOCUTORY APPEAL FROM

THE 250TH JUDICIAL DISTRICT, TRAVIS COUNTY, TEXAS

APPELLEE'S UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO FILE

APPELLEE BRIEF

JACI(MODESETT

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ATTORNEYS FOR APPELLEE

Appellee's Unopposed Motion for Extension of Time To File Appellee Brief Page 1 TO THE HONORABLE COURT OF APPEALS:

1. In accordance with TEX. R. APP. P. 10.5(b)(1) Appellee Martha Mahan, as Representative of the Estate of Mary Rivera brings this unopposed request for an extension of time to file Appellee's Brief.
2. This motion is Appellee's second request for extension of time to file its Brief.
3. Appellee's deadline to file its brief is currently December 14, 2015.
4. Appellee seeks a 7 day extension. If granted, Appellee's deadline to file its Brief would be December 21, 2015.
5. Appellee requests the extension due to appellee counsel's commitments in other matters, which will affect counsel's ability to devote a sufficient amount of time to file Appellee's Brief.
6. Counsel for Appellant does not object to Appellee's request for a 7 day extension of time to file Appellee's Brief.
7. Appellee does not seek this extension of time for the sole purpose of delay but so that justice may be done. Appellee's Unopposed Motion for Extension of Time To File Appellee Brief Page2

PRAYER

WHEREFORE, PREMISES CONSIDERED, Appellee Matiha Mahan, as Representative of the Estate of Mary Rivera, respectfully requests that this Court grant an additional fourteen days from December 14, 2015 to December 21, 2015 for Appellee to file its Brief. Respectfully submitted, MODESETTWILLIAMS, PLLC

515 Congress Avenue, Suite 1650 Austin, Texas 78701 512.472.6097- Telephone 512.481.0130- Telecopier i ack@jmodesettlaw.com _walter@1nodwill.com By: alter V. Williams exas Bar No. 21584800 Appellee's Unopposed Motion for Extension of Time To File Appellee Brief Page3

CERTIFICATE OF CONFERENCE

Counsel for Appellee conference with counsel for Appellee concetning this request for a 7 day extension via email on December 14, 201 nsel for Appellee does not op request.

CERTIFICATE OF SERVICE

Pursuant to rule 9.5 of the Texas Rules of Appellate Procedure, I hereby certify that a true and

conect copy of the foregoing instrument has been filed electronically and delivered electronically and via facsimile to the following counsel of record on this 14th day of December, 2015: Emily Davenport (612) 660-5979 Reed, Clayman, Meeker & Hargett, PLLC 5608 Parkcrest Drive, Suite 200 Austin, Texas 78731 edavenport@rcmhlaw.com Appellee's Unopposed Motion for Extension of Time To File Appellee Brief Page 4