

THIRD COURT OF APPEALS OF TEXAS

Christopher Ray Weatherspoon v. State

Weatherspoon v. State · No. 03-15-00237-CR · Decided September 10, 2015

SUMMARY

This document is a second motion for an extension of time to file the appellant's brief in a criminal appeal before the Third Court of Appeals of Texas. Appellant's counsel requests an additional fourteen days, until September 28, 2015, citing work on a companion appeal and planned travel.

CASE DETAILS

COURT	Third Court of Appeals of Texas
JURISDICTION	Texas
DECIDED	September 10, 2015
DOCKET	03-15-00237-CR
DISPOSITION	other
PROCEDURAL POSTURE	Appellant moved for a second fourteen-day extension of time to file his appellate brief.
PRECEDENTIAL VALUE	nonprecedential motion document
PARTIES	Christopher Ray Weatherspoon v. The State of Texas

TOPICS

appellate procedure

criminal procedure

PRACTICE AREAS

appellate procedure

criminal procedure

QUESTIONS PRESENTED

1. Whether the court should grant Appellant a second fourteen-day extension of time to file his appellate brief under Texas Rule of Appellate Procedure 38.6(d).

FACTUAL BACKGROUND

Counsel represented that he had recently completed and filed a brief in Appellant's companion appeal, had not begun the brief in this appeal, and would be out of town the following week. Appellant had already been granted

an extension through September 14, 2015. The motion requested an additional fourteen days, until September 28, 2015.

PROCEDURAL HISTORY

Appellant had previously received an extension through September 14, 2015. His counsel requested an additional extension until September 28, 2015, citing completion of a brief in a companion appeal, lack of progress on this brief, and planned travel.

DISPOSITION

other

OPINION

Christopher Ray Weatherspoon v. State

PER CURIAM.

ACCEPTED

03-15-00237-CR 6868570

THIRD COURT OF APPEALS

AUSTIN, TEXAS

9/10/2015 2:12:41 PM

JEFFREY D. KYLE

CLERK

No. 03-15-00237-CR

CHRISTOPHER RAY WEATHERSPOON, }

FILED IN

Appellant } 3rd COURT OF APPEALS

} IN THE AUSTIN,

COURT TEXAS

9/10/2015 2:12:41 PM

} OF APPEALS

JEFFREY D. KYLE

} OF THE THIRD

Clerk

v. } SUPREME JUDICIAL

} DISTRICT

THE STATE OF TEXAS }

SECOND MOTION FOR EXTENSION OF TIME

TO FILE APPELLANT'S BRIEF

TO THE HONORABLE JUSTICES OF THE THIRD COURT OF APPEALS: Comes now John

Kuchera, undersigned counsel for Appellant, pursuant to Rule 38.6(d) of the Texas Rules of Appellate Procedure, and files this motion for an additional extension of fourteen (14) days in which to file Appellant's brief in the above-entitled and numbered cause. In support of this motion, undersigned counsel would show the Court the following. Appellant has previously been granted an extension through September 14, 2015. Counsel just finished and filed a brief in Appellant's companion appeal, No. 03-15-00236-CR. Counsel has not started the brief herein. Counsel will be out of town all of next week. WHEREFORE, PREMISES CONSIDERED, undersigned counsel requests that this Court grant an extension until September 28, 2015, for the filing of Appellant's brief herein. Respectfully submitted, /s/ John A. Kuchera John A. Kuchera 210 N. 6th St. Waco, Texas 76701

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SBN 00792137

johnkuchera@210law.com Attorney for Appellant Certificate of Service I certify that on the 10th day of August, 2015, I mailed the foregoing to: Mr. Bob D. Odom Assistant District Attorney P.O. Box 540 Belton, TX 76513 /s/ John A. Kuchera John A. Kuchera