

FOURTH COURT OF APPEALS OF TEXAS AT SAN ANTONIO

Ex Parte J.C.F., Jr.

No. 04-21-00085-CV · No. No. 04-21-00085-CV · Decided June 14, 2021

SUMMARY

The Fourth Court of Appeals of San Antonio grants appellee an additional 30-day extension to file an appellate brief, setting the deadline as July 14, 2021. The court states that further extensions will require a motion demonstrating extraordinary circumstances and other specified assurances regarding preparation and filing.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas at San Antonio
WRITING FOR THE COURT	Luz Elena D. Chapa
JURISDICTION	Texas
DECIDED	June 14, 2021
DOCKET	No. 04-21-00085-CV
DISPOSITION	other
PROCEDURAL POSTURE	The court considered appellee's motion for a thirty-day extension of time to file its appellate brief.
PRECEDENTIAL VALUE	Published

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether appellee should receive an additional thirty-day extension of time to file its brief.

HOLDINGS

1. The court granted appellee's motion for an additional thirty-day extension and ordered the brief filed by July 14, 2021.

FACTUAL BACKGROUND

The appellate court had previously extended appellee's briefing deadline from May 28, 2021, to June 14, 2021. Appellee requested an additional thirty-day extension. The court granted the request but cautioned that future extensions would not be granted absent a showing of extraordinary circumstances and specified supporting information.

PROCEDURAL HISTORY

The appeal arose from the 81st Judicial District Court of Atascosa County, Texas, trial court cause number 20-07-0624-CVA. Appellee's brief was originally due May 28, 2021, and the appellate court had previously extended the deadline to June 14, 2021. The court granted appellee's motion for another thirty-day extension and set July 14, 2021, as the filing deadline.

DISPOSITION

other

OPINION

Ex Parte J.C.F., Jr.

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas June 14, 2021 No. 04-21-00085-CV EX PARTE J.C.F., JR. From the 81st Judicial District Court, Atascosa County, Texas Trial Court No. 20-07-0624-CVA Honorable Walden Shelton, Judge Presiding

ORDER

Appellee's brief was originally due May 28, 2021; however, the court granted an extension of time until June 14, 2021. Appellee has filed a motion requesting an additional thirty-day extension of time to file the brief. We grant the motion and order appellee's brief filed by July 14, 2021. Counsel is advised that no further extensions of time will be granted absent a motion, filed before the brief is due, that (1) demonstrates extraordinary circumstances justifying further delay, (2) advises the court of the efforts counsel has expended in preparing the brief, and (3) provides the court reasonable assurance that the brief will be completed and filed by the requested extended deadline. The court does not generally consider a heavy work schedule to be an extraordinary circumstance. _____ Luz Elena D. Chapa, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 14th day of June, 2021. _____ Michael A. Cruz, Clerk of Court