

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

Robert Samaniego v. Mary Samaniego

No. 04-13-00519-CV · No. No. 04-13-00519-CV · Decided January 6, 2014

SUMMARY

The Fourth Court of Appeals of Texas granted in part and denied in part the appellee’s motion for an extension of time to file her appellate brief. The court granted a 60-day extension and ordered that the brief be filed on or before March 17, 2014.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourth District, San Antonio
WRITING FOR THE COURT	Marialyn Barnard
JURISDICTION	Texas
DECIDED	January 6, 2014
DOCKET	No. 04-13-00519-CV
DISPOSITION	other
PROCEDURAL POSTURE	During the pendency of the appeal, appellee moved for a 90-day extension of time to file her appellate brief.
PRECEDENTIAL VALUE	published
PARTIES	Robert Samaniego v. Mary Samaniego

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether appellee should receive an extension of time to file her appellate brief and, if so, for how long.

KEY QUOTATIONS

“We GRANT appellee’s motion in part and DENY appellee’s motion in part.”

FACTUAL BACKGROUND

The appellate brief for appellee was due January 15, 2014. Appellee filed a motion requesting a 90-day extension of time to file the brief, and the court granted only a 60-day extension.

PROCEDURAL HISTORY

The case was appealed from the 25th Judicial District Court of Guadalupe County, Texas, trial court cause number 12-0784-CV. While the appeal was pending, appellee requested a 90-day extension to file her brief. The court granted a 60-day extension and set the brief's due date as March 17, 2014.

DISPOSITION

other

OPINION

PER CURIAM.

FILE COPY COURT OF APPEALS CATHERINE STONE FOURTH COURT OF APPEALS DISTRICT KEITH E. HOTTLE CHIEF JUSTICE CADENA-REEVES JUSTICE CENTER CLERK OF COURT KAREN ANGELINI 300 DOLOROSA, SUITE 3200 SANDEE BRYAN MARION SAN ANTONIO, TEXAS 78205-3037 MARIALYN BARNARD WWW.4THCOA.COURTS.STATE.TX.US TELEPHONE REBECA C. MARTINEZ (210) 335-2635 PATRICIA O. ALVAREZ LUZ ELENA D. CHAPA FACSIMILE NO. JUSTICES (210) 335-2762 January 6, 2014 Mary Samaniego Robert Samaniego 1620 Cypress TDCJ # 1566425 San Marcos, TX 78666 815 12st Huntsville, TX 78348 RE: Court of Appeals Number: 04-13-00519-CV Trial Court Case Number: 12-0784-CV Style: Robert Samaniego v. Mary Samaniego Enclosed please find the order which the Honorable Court of Appeals has issued in reference to the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me. Very truly yours, KEITH E. HOTTLE, CLERK _____ Elizabeth Montoya Deputy Clerk, Ext. 53857 cc: Debra Crow Phyllis A. Bush FILE COPY Fourth Court of Appeals San Antonio, Texas January 6, 2014 No. 04-13-00519-CV Robert SAMANIEGO Robert Samaniego, v. Mary SAMANIEGO, Appellee From the 25th Judicial District Court, Guadalupe County, Texas Trial Court No. 12-0784-CV Honorable W.C.

Kirkendall, Judge Presiding ORDER Appellee's brief is currently due January 15, 2014. On January 2, 2013, appellee filed a motion asking this court for a 90-day extension of time to file her brief. We GRANT appellee's motion in part and DENY appellee's motion in part.

We GRANT appellee a 60-day extension of time to file the brief. Accordingly, appellee's brief is due on or before March 17, 2014. _____ Marialyn Barnard,

Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 6th day of January, 2014. _____ Keith E. Hottle Clerk of Court

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