

COURT OF APPEALS OF TEXAS, THIRD JUDICIAL DISTRICT AT AUSTIN

**Glenn Hegar, Comptroller of Public Accounts of the State of Texas,
and Ken Paxton, Attorney General of the State of Texas v. CGG
Veritas Services (U.S.), Inc.**

No. 03-14-00713-CV, Court of Appeals of Texas, Third Judicial District at Austin (July 27, 2015)

SUMMARY

This document is an unopposed motion by Texas state officials to extend the deadline for filing their reply brief in an appeal involving CGG Veritas Services (U.S.), Inc. The motion requests a fourteen-day extension, from August 10, 2015, to August 24, 2015, under Texas Rule of Appellate Procedure 10.5(b).

CASE DETAILS

COURT	Court of Appeals of Texas, Third Judicial District at Austin
JURISDICTION	Texas
DECIDED	July 27, 2015
DOCKET	03-14-00713-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellants filed an unopposed motion requesting a fourteen-day extension of time to file their reply brief in an appeal from the 353rd Judicial District Court of Travis County, Texas.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Glenn Hegar, Comptroller of Public Accounts of the State of Texas, Ken Paxton, Attorney General of the State of Texas v. CGG Veritas Services (U.S.), Inc.

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the court should grant appellants' unopposed request for a fourteen-day extension of time to file their reply brief.

FACTUAL BACKGROUND

The appellants' reply brief was due on August 10, 2015. New lead appellate counsel had recently assumed responsibility for the appeal after prior counsel's departure from the Texas Attorney General's Office and sought additional time to review the trial-court record and prepare the reply brief. The appellee did not oppose the requested fourteen-day extension.

PROCEDURAL HISTORY

The underlying matter was pending on appeal from the 353rd Judicial District Court of Travis County. Appellants stated that their reply brief was due August 10, 2015, and requested a new deadline of August 24, 2015, because lead appellate counsel had recently assumed responsibility for the appeal and had not participated in the trial proceedings or preparation of the opening brief. Appellee did not oppose the requested extension.

DISPOSITION

other

OPINION

PER CURIAM.

ACCEPTED 03-14-00713-CV 6244085 THIRD COURT OF APPEALS AUSTIN, TEXAS 7/27/2015 6:32:01 PM JEFFREY D. KYLE CLERK No. 03-14-00713-CV In the Court of Appeals 3rd COURTFILED IN OF APPEALS AUSTIN, TEXAS for the Third Judicial District 7/27/2015 6:32:01 PM Austin, Texas JEFFREY D. KYLE Clerk GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS, Appellants, V. CGG VERITAS SERVICES (U.S.), INC., Appellee.

On Appeal from the 353rd Judicial District Court of Travis County, Texas UNOPPOSED MOTION TO EXTEND TIME TO FILE APPELLANTS' REPLY BRIEF TO THE HONORABLE THIRD COURT OF APPEALS: Pursuant to Texas Rule of Appellate Procedure 10.5(b), Appellants Glenn Hegar, Comptroller of Public Accounts of the State of Texas, and Ken Paxton, Attorney General of the State of Texas, request a fourteen-day extension of time to file their Reply brief.

I. Appellants' reply brief is due on August 10, 2015. The Appellants seek a 14-day extension, creating a new due date of August 24, 2015. No prior extension has been requested or granted for this filing. Appellee does not oppose this motion. II.

The undersigned has assumed responsibility as lead appellate counsel for Appellants following April Farris's recent departure from the Attorney General's Office. Being new to the appeal, and not having participated in the trial proceedings or the preparation of Appellants' opening brief, the undersigned counsel requests a brief extension of time to analyze the trial court record and prepare a reply brief that will be helpful to the Court.

III. For these reasons, Appellants respectfully request that the Court grant a fourteen- day extension to file their reply brief, creating a new due date of August 24, 2015. 2 Respectfully submitted, KEN PAXTON Attorney General of Texas CHARLES E. ROY First Assistant Attorney General SCOTT A. KELLER Solicitor General /s/ Joseph D. Hughes JOSEPH D. HUGHES Assistant Solicitor General State Bar No. 24007410 OFFICE OF THE ATTORNEY GENERAL P.O.

Box 12548 (MC 059) Austin, Texas 78711-2548 [Tel.] (512) 936-1729 [Fax] (512) 474-2697 jody.hughes@texasattorneygeneral.gov COUNSEL FOR APPELLANTS 3 CERTIFICATE OF CONFERENCE I spoke by telephone this morning with Amanda Taylor, counsel for Appellee, and she stated that she is not opposed to the two-week extension of time requested. /s/ Joseph D. Hughes Joseph D. Hughes CERTIFICATE OF SERVICE I certify that on July 27, 2015, a true and correct copy of this Unopposed Motion to Extend Time to file Appellants' Reply Brief was served via File & ServeXpress upon the following counsel of record: Amanda G. Taylor MARTENS TODD LEONARD & TAYLOR 301 Congress Ave., Suite 1950 Austin, Texas 78701 COUNSEL FOR APPELLEE /s/ Joseph D. Hughes Joseph D. Hughes 4