

THIRTEENTH COURT OF APPEALS OF TEXAS, CORPUS CHRISTI–
EDINBURG

In the Interest of J.J.M., et al., Children

In re J.J.M. · No. 13-22-00131-CV · Decided June 3, 2022

SUMMARY

The Thirteenth Court of Appeals of Texas partially granted an appellant’s first motion to extend the deadline for filing a brief in an accelerated parental-rights termination appeal. The court extended the deadline to June 16, 2022, denied the requested twenty-day extension, and cautioned that further extensions would not be favorably entertained absent extraordinary circumstances.

CASE DETAILS

COURT	Thirteenth Court of Appeals of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Chief Justice Contreras; Justice Longoria; Justice Tijerina
JURISDICTION	Texas
DECIDED	June 3, 2022
DOCKET	13-22-00131-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellant sought a twenty-day extension of time to file a brief in an accelerated appeal from a final order terminating parental rights.
PRECEDENTIAL VALUE	Published
PARTIES	Appellant

TOPICS

termination of parental rights family law procedure appellate procedure parental rights

PRACTICE AREAS

Appellate procedure Family law Termination of parental rights

QUESTIONS PRESENTED

1. Whether appellant should receive a twenty-day extension of time to file a brief in an accelerated parental-termination appeal.
2. Whether the court should limit the extension to ten days absent truly extraordinary circumstances.

HOLDINGS

1. In an appeal involving termination of parental rights, the court will ordinarily limit a requested extension of time to one ten-day extension absent truly extraordinary circumstances.
2. Appellant's first motion for extension was granted in part; the brief deadline was extended from June 6, 2022, to June 16, 2022, and the request for a twenty-day extension was denied.

KEY QUOTATIONS

“Given the nature of these cases and the shortened appellate deadlines, we limit the request to one ten-day extension of time absent truly extraordinary circumstances.” (at 2)

FACTUAL BACKGROUND

This was an accelerated appeal of a final order terminating parental rights. Appellant's brief was due June 6, 2022, and appellant requested a twenty-day extension. The court considered the expedited nature of parental-termination appeals and granted only a ten-day extension, moving the filing deadline to June 16, 2022.

PROCEDURAL HISTORY

The appeal arose from a final order terminating parental rights entered by the County Court at Law No. 5 of Nueces County. While the appeal was pending, appellant moved for a twenty-day extension of the deadline to file the opening brief. The court granted the motion in part, extending the deadline by ten days, and denied the requested additional ten-day extension.

DISPOSITION

other

OPINION

PER CURIAM.

NUMBER 13-22-00131-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI – EDINBURG IN THE INTEREST OF J.J.M., ET AL., CHILDREN On
appeal from the County Court at Law No. 5 of Nueces County, Texas. ORDER Before Chief
Justice Contreras and Justices Longoria and Tijerina Order Per Curiam This is an appeal of a final
order terminating parental rights.

Appellant has filed a first motion of extension of time to file a brief. Appellant's brief is due on June 6, 2022. Appellant has requested a twenty-day extension to file a brief. Appeals in parental termination and child protection cases are governed by the rules of appellate procedure for accelerated appeals but include additional expedited deadlines and procedures.

See TEX. R. APP. P. 28.4; TEX. R. JUD. ADMIN. 6.2(a). The intermediate appellate courts are directed to ensure “as far as reasonably possible” that these appeals are brought to final disposition

within 180 days of the date the notice of appeal is filed. TEX. R. JUD. ADMIN. 6.2(a). Given the nature of these cases and the shortened appellate deadlines, we limit the request to one ten-day extension of time absent truly extraordinary circumstances.

See TEX. R. APP. P. 38.6(d). This Court, having fully examined and considered appellant's motion is of the opinion that, in the interest of justice, appellant's first motion for extension of time to file his brief should be granted in part with order.

The Court, however, requires strict adherence to the briefing rules in appeals of parental termination cases, such as this appeal, and looks with disfavor upon the delay caused by such extension requests. See TEX. R. APP. P. 38.6; see also *id.* at R. 28.4.

The Court GRANTS in part appellant's first motion for extension of time. This motion is GRANTED insofar as the Court will extend appellant's deadline to file appellant's brief to June 16, 2022. The Court DENIES appellant's request for a twenty- day extension. Further motions for extension of time will not be favorably entertained by this Court, absent extraordinary circumstances.

PER CURIAM Delivered and filed on the 3rd day of June, 2022. 2