

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Jose George, Matilde George, and Elaine George v. Compass Bank

No. 04-15-00676-CV · No. No. 04-15-00676-CV · Decided October 7, 2016

SUMMARY

The Fourth Court of Appeals of San Antonio granted the appellants' second motion to extend the deadline for filing a motion for rehearing. The court ordered the motion to be filed by November 14, 2016, and stated that no further extensions would be granted absent written proof of extraordinary circumstances.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Marialyn Barnard
JURISDICTION	Texas
DECIDED	October 7, 2016
DOCKET	No. 04-15-00676-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellants sought a second extension of time to file a motion for rehearing in the court of appeals.
PRECEDENTIAL VALUE	published
PARTIES	Jose George, Matilde George, Elaine George v. Compass Bank

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether appellants should receive a second extension of time to file their motion for rehearing.

FACTUAL BACKGROUND

The appellants' motion for rehearing was initially due September 29, 2016. After the court granted a fifteen-day extension, appellants requested a second extension of thirty days to file the motion for rehearing.

PROCEDURAL HISTORY

The appeal was pending in the Fourth Court of Appeals of Texas. The court had previously granted appellants a fifteen-day extension, ordering their motion for rehearing filed by October 14, 2016. Appellants then requested an additional thirty days, which the court granted, setting November 14, 2016, as the new deadline and warning that further extensions would not be granted absent written proof of extraordinary circumstances.

DISPOSITION

other

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas October 7, 2016 No. 04-15-00676-CV Jose GEORGE, Matilde George, and Elaine George, Appellants v. COMPASS BANK, Appellee From the 45th Judicial District Court, Bexar County, Texas Trial Court No. 2014-CI-03773 Honorable Dick Alcala, Judge Presiding ORDER Appellants' motion for rehearing was originally due September 29, 2016.

Appellants sought an extension of time in which to file the motion, asking for an additional fifteen days. We granted the motion and ordered appellants to file the motion for rehearing on or before October 14, 2016. Appellants have now filed a second motion to extend time, seeking to an additional thirty days in which to file their motion.

After review, we GRANT appellants' motion and ORDER appellants to file their motion for rehearing on or before November 14, 2016. Appellants are advised that no further extensions of time to file the motion for rehearing will be granted absent written proof of extraordinary circumstances. _____ Marialyn Barnard, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 7th day of October, 2016. _____ Keith E. Hottle Clerk of Court