

FIRST COURT OF APPEALS AT HOUSTON, TEXAS

Pappas Restaurants, Inc. and Pappas Bar-B-Q, Inc. v. State of Texas

Pappas Restaurants · No. 01-15-00001-CV · Decided May 21, 2015

SUMMARY

This document is an unopposed first motion by Pappas Restaurants, Inc. and Pappas Bar-B-Q, Inc. seeking a 20-day extension of time to file their reply brief in a Texas appeal. The motion states that the State of Texas does not oppose the extension and requests a new filing deadline of June 29, 2015.

CASE DETAILS

COURT	First Court of Appeals at Houston, Texas
JURISDICTION	Texas
DECIDED	May 21, 2015
DOCKET	01-15-00001-CV
PROCEDURAL POSTURE	Appellants filed an unopposed first motion for a twenty-day extension of time to file their reply brief in a pending appeal.
PRECEDENTIAL VALUE	nonprecedential procedural filing
PARTIES	Pappas Restaurants, Inc., Pappas Bar-B-Q, Inc. v. The State of Texas

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

Appellate procedure

Civil procedure

QUESTIONS PRESENTED

1. Whether appellants should receive a twenty-day extension of time to file their reply brief under Texas Rules of Appellate Procedure 10.5(b) and 38.6(d).

FACTUAL BACKGROUND

The trial court signed a judgment in absence of objection on October 29, 2014, and denied appellants' motions for new trial on November 21, 2014. Appellants filed their notice of appeal on December 29, 2014; the clerk's record was filed on January 14, 2015, and there was no reporter's record. Appellants stated that vacations of the

attorneys primarily responsible for drafting the reply brief prevented timely filing and requested a twenty-day extension, to June 29, 2015.

PROCEDURAL HISTORY

The County Civil Court at Law Number Four of Harris County signed a judgment in absence of objection on October 29, 2014. Appellants' motions for new trial were denied on November 21, 2014, and appellants filed their notice of appeal on December 29, 2014. After the appellate briefs were filed or scheduled, appellants moved for an extension of time to file their reply brief; the motion states that the State did not oppose the requested extension.

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