

COURT OF APPEALS OF TEXAS, FOURTEENTH DISTRICT, HOUSTON

Akhil Patel v. Nadia Hussain

Patel · No. 14-14-00459-CV · Decided April 14, 2015

SUMMARY

This document is Appellee's unopposed motion requesting an eight-day extension of time to file an appellate brief in the Fourteenth Court of Appeals of Texas. The motion cites counsel's competing deadlines and notes that one prior thirty-day extension had been granted.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourteenth District, Houston
JURISDICTION	Texas
DECIDED	April 14, 2015
DOCKET	14-14-00459-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellee filed an unopposed motion requesting an eight-day extension of time to file her appellate brief.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Akhil Patel v. Nadia Hussain

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the appellee should receive an eight-day extension of time to file her appellate brief.

FACTUAL BACKGROUND

The appellee's brief was due on April 15, 2015. Counsel identified numerous competing obligations during the preceding thirty days, including responses to dispositive motions, summary-judgment proceedings, mediation,

another appellate brief deadline, and scheduled presentations. Appellee sought an eight-day extension and represented that the request was unopposed and not made for purposes of delay.

PROCEDURAL HISTORY

The appellee's brief was due April 15, 2015. Appellee requested an eight-day extension to April 23, 2015, citing counsel's competing litigation deadlines, hearings, mediation, and continuing legal education presentations. The motion states that appellee had previously received one thirty-day extension and that appellant's counsel was unopposed.

DISPOSITION

other

OPINION

PER CURIAM.

ACCEPTED 14-14-00459-CV FOURTEENTH COURT OF APPEALS HOUSTON, TEXAS 4/14/2015 5:19:25 PM CHRISTOPHER PRINE CLERK No. 14-14-00459-CV A.P., § FILED IN 14th COURT OF APPEALS § HOUSTON, TEXAS Appellant § 4/14/2015 5:19:25 PM § Court of Appeals of Texas CHRISTOPHER A. PRINE Clerk v. § § Fourteenth District N.H., § § Appellee § Appellee's Unopposed Motion for Extension of Time to File Appellee's Brief Appellee N.H. files this Unopposed Motion for Extension of Time to file Appellee's Brief and would respectfully show this Court the following: 1.

Appellee's Brief is due April 15, 2015. 2. Appellee respectfully requests an 8-day extension of her deadline. If permitted, his brief would be due on April 23, 2015. 3. Appellee seeks this extension because, during the previous thirty days and through tomorrow, her counsel has been obligated with the following additional deadlines: — March 23, 2015: Response to Motion to Dismiss in *Wesson v. City of Dallas*, which is pending in the United States District Court for the Northern District of Texas as Civil Action No. 3:14-CV-4325; — March 24, 2015: Response to three motions for summary judgment in *Melendez v. Rumsey Site Construction, LLC*, which is pending in the -1- 62nd Judicial District Court of Hopkins County, Texas as Cause No. CV-41232; — March 30, 2015: Response to motion for summary judgment in *Blair v. City of Dallas*, which is pending in the United States District Court for the Northern District of Texas as Civil Action No. 3:14-CV-1515; — March 31, 2015: Hearing on three motions for summary judgment in *Melendez v. Rumsey Site Construction, LLC*, which is pending in the 62nd Judicial District Court of Hopkins County, Texas as Cause No. CV-41232; — April 6, 2015: Response to Motion to Dismiss in *Harper v. City of Dallas*, which is pending in the United States District Court for the Northern District of Texas as Civil Action No. 3:14-CV-2647; and — April 7, 2015: Response to Motion to Dismiss in *Tolan v. City of Bellaire*, which is pending in the United States District Court for the

Southern District of Texas as Civil Action No. 4:09-CV-1324; — April 9, 2015: Full-day mediation in Melendez v. Rumsey Site Construction, LLC, which is pending in the 62nd Judicial District Court of Hopkins County, Texas as Cause No. CV-41232; — April 13, 2015: Appellant's Brief due in Gonzalez v. Northfork Investments, Ltd., which is pending in the Fifth Court of Appeals as Case No. 05-14-01418-CV; — April 15, 2015: CLE presentation in Lubbock, Texas; and — April 16, 2015: CLE presentation in San Antonio, Texas 4.

Appellee has requested and received one previous thirty-day extension of time to file her brief in this case. 5. This motion is not made for purposes of delay, but so that justice may be done. -2- Respectfully submitted, s/ Matthew J. Kita Matthew J. Kita Texas Bar No. 24050883 1400 Congress Street Houston, Texas 77002 (713) 222-2000 (telephone) (713) 222-2329 (facsimile) matt@mattkita.com Counsel for Appellee Certificate of Conference On April 14, 2015, I conferred with Appellant's counsel regarding the merits of this motion, who represented that he is unopposed to the relief requested. /s/ Matthew J. Kita Matthew J. Kita Certificate of Service The undersigned certifies that a copy of this filing was served on the following counsel via e-filing in accordance with Texas Rule of Appellate Procedure 9.5 and this Court's Local Rules on April 14, 2015: Counsel for Appellant: Tej Paranjpe Paranjpe & Mahadass LLP 3701 Kirby Drive, Suite 530 Houston, TX 77098 s/ Matthew J. Kita Matthew J. Kita -3-