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THIRD COURT OF APPEALS
AUSTIN, TEXAS
12/29/2014 5:32:54 PM
JEFFREY D. KYLE
CLERK

NO. 03-14-00734-CR

In The Third Court of Appeals

Austin, Texas

FILED IN
3rd COURT OF APPEALS
AUSTIN, TEXAS
12/29/2014 5:32:54 PM
JEFFREY D. KYLE
Clerk

BRUCE WAYNE HARKEY

Appellant

V.

THE STATE OF TEXAS,

Appellee

Cause no. CR5731

On Appeal from the 33rd Judicial District Court of Llano County,

Llano, Texas

MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF

TO THE HONORABLE THIRD COURT OF APPEALS:

Appellant, Bruce Wayne Harkey, pursuant to Rule 10.5 of the Texas Rules of Appellate Procedure, by and through his attorney of record, requests an

extension of time to file appellant's brief, and in support thereof would show the court the following:

1__The reporter's record was filed on December 1, 2014. The clerk's record was filed on November 17, 2014.

2__Under the court's briefing schedule, the appellant's brief is currently due on January 5, 2015.

3__The Court Reporter's Record exceeds ten (10) volumes of testimony and the trial before the jury was approximately one and one-half week in duration. More than 100 exhibits were admitted.

4__The undersigned attorney has an extensive trial practice, both civil and criminal. Further, the undersigned counsel has numerous and regular court appearances consisting of motions to revoke and suppression hearings. Likewise, the undersigned is preparing for several jury trials which are subject to being tried within the following sixty (60) days.

5__ In order to prepare a brief that will be of assistance to the Court, the undersigned seeks a 60-day extension of time to file its appellant's brief, so that the brief will be due on March 6, 2015.

6__This is the first request for an extension of time to file Appellant's brief. This extension is not sought solely for delay, but is necessary so that justice can be done.

For these reasons, Appellant respectfully requests that the Court grant this motion to extend the time for filing Appellant's brief and allow that brief to be

filed on or before March 6, 2015. Appellant also requests any other relief to which it may be entitled.

Respectfully submitted,

RICHARD D. DAVIS
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Motion for Extension of Time to File Appellant's Brief** has been hand delivered, or sent by U.S. mail, certified return receipt requested, or transmitted by telephonic transfer to the counsel for the State, Gary W. Bunyard, of the Office of the District Attorney of Llano County, P.O. Box 725, Llano, Texas 78643; on this the 29th day of December, 2014.

RICHARD D. DAVIS

CERTIFICATE OF CONFERENCE

The undersigned by his signature below certifies that the District Attorney's Office of the 33RD Judicial District has been contacted and that this motion ~~is not opposed by Appellee~~.

Richard D. Davis