PD-1230-14
COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
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COURT OF CRIMINAL APPEALS

FILED IN
COURT OF CRIMINAL APPEALS

December 31, 2014

ABEL ACOSTA, CLERK

PD-1230-14

Chad William Murray, Appellant,

v.

State of Texas, Appellee.

On Discretionary Review from
No. 07-13-00356-CR
Seventh Court of Appeals, Amarillo

On Appeal from No. M0187-11
66th Judicial District Court, Hill County

Motion to Extend Time to File Appellant's Brief

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Attorney for Appellant

To the Honorable Judges of the Court of Criminal Appeals:

Appellant Chad William Murray moves for an extension of time of **30 days** to file the Appellant's Brief:

1. On June 26, 2014, in *Murray v. State*, 440 S.W.3d 927 (Tex. App. Amarillo 2014), the Court of Appeals reversed and remanded Appellant's conviction.

2. The State filed a petition for discretionary review, which was granted.

3. On December 18, 2014, the State filed its Brief.

4. Appellant's Brief is due on **January 20, 2015**.

5. For good cause, Appellant asks for an extension of **30 days** to file the Appellant's Brief, i.e., until **February 19, 2015**.

6. No previous extension to file the Appellant's Brief has been filed.

7. Appellant relies on the following facts as good cause for the requested extension: First, undersigned Attorney for Appellant Michael Mowla recently made an appearance in this case, so he is still reviewing the case history and record.

8. Second, Mowla just completed a Petition for Discretionary Review in *State v. Moore*, PD-1517-14.

9. Further, Mowla has the following briefs, petitions for discretionary review, or other pleadings due soon:

- Appellant's Brief in *Little v. State*, 05-14-00697-CR, Fifth Court of Appeals, due on January 4, 2015.

- Petition for Writ of Certiorari in *Victorik v. Texas*, Supreme Court, due on January 9, 2015.

- Petition for Discretionary Review in *Johnson v. State*, PD-1542-14, due on January 19, 2015.

- Response to Motion for Summary Judgment in *Burress v. Blake, et al*, 4-14-cv-00035-RAS-DDB, Eastern District of Texas, due on January 20, 2015.

- Appellant's Brief in *Von Tungeln v. State*, 10-14-00329-CR, Tenth Court of Appeals, due on January 20, 2015.

- Petition for Discretionary Review in *Thompson v. State*, PD-1591-14, due on January 30, 2015.

- Reply Brief due in *Jones v. Stephens*, 4:05-CV-00638-Y, Northern District of Texas (death penalty case), due on February 6, 2015.

- Appellant's Brief due in *Williams v. State*, 05-14-01481-CR and 05-14-01482-CR, Fifth Court of Appeals, due on February 8, 2015.

10. **Of particular importance** is the Reply Brief in *Jones v. Stephens*, a death penalty case that involves numerous complex issues, and in which the briefing has already exceeded 200 pages. The drafting of the Reply Brief has been a time-consuming project. Mowla asks for the additional 30 days so that the drafting and filing of the Appellant's Brief does not conflict with the timing of the due-date of the Reply Brief in *Jones v. Stephens*.

11. Mowla has a responsibility to provide Appellant with the effective

assistance of appellate counsel, *see Evitts v. Lucey*, 469 U.S. 387, 392 (1985), and Mowla believes that that the additional 30 days is necessary to provide such effective appellate counsel.

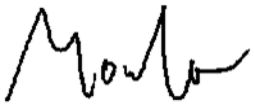
12. This Motion is not filed for purposes of delay, but so that justice may be served.

Prayer

Appellant prays that this Motion for Extension of Time to File Appellant's Brief be granted.

Respectfully submitted,

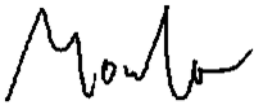
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/s/ Michael Mowla
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Certificate of Service

This certifies that on December 31, 2014, a true and correct copy of this document was served on David Holmes, District Attorney, Hill County, by email to dholmes@co.hill.tx.us, on Lisa McMinn, the State Prosecuting Attorney, by email to Lisa.McMinn@spa.texas.gov and information@spa.texas.gov, and John Messinger, john.messinger@spa.state.tx.us. *See* Tex. Rule App. Proc. 9.5 (2014) and 68.11 (2014).



/s/ Michael Mowla
Michael Mowla