FILED IN
COURT OF CRIMINAL APPEALS

December 11, 2015

ABEL ACOSTA, CLERK

PD-1601-15
COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
Transmitted 12/9/2015 11:39:00 AM
Accepted 12/11/2015 11:09:04 AM
ABEL ACOSTA
CLERK

CAUSE NO. _____

NOEL CAMPBELL Petitioner	§ § §	IN THE COURT
vs.	§ §	OF CRIMINAL APPEALS
THE STATE OF TEXAS, State	§ §	OF THE STATE OF TEXAS

MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

NOW COMES NOEL CAMPBELL, the Petitioner herein, by and through undersigned counsel, and moves the Court for an extension of time to file his Petition for Discretionary Review in this cause pursuant to Rule 68.2(c) of the Texas Rules of Appellate Procedure (T.R.A.P.), and in support thereof would show the Court as follows:

I.

The Appellant's appeal was denied by the 13th Court of Appeals in the case of Noel Campbell vs. The State of Texas, cause number 13-14-00403-CR, from trial court cause number 14-CR-0429-B in the 117th Judicial District Court of Nueces County, on August 31, 2015. The Appellant filed a request for an extension of time to file a Motion for Rehearing En Banc which was granted extending the time for filing until October 30, 2015. Appellant's Motion for Rehearing was denied on November 10, 2015.

II.

Pursuant to T.R.A.P. Rule 68.2(a), the Appellant's Petition for Discretionary Review

is therefore due December 10, 2015.

III.

The Appellant hereby requests an extension of time to file Appellant's Petition for Discretionary Review, and would show unto the Court that sixty (60) additional days will be sufficient to allow the completion of said Petition, until February 8, 2016.

IV.

No previous extensions of time have heretofore been requested or granted.

V.

Counsel delivered her baby December 7, 2015, two weeks earlier than expected.

WHEREFORE, PREMISES CONSIDERED, the undersigned counsel, on behalf of Petitioner, respectfully prays that this Honorable Court extend the time for filing a Petition for Discretionary Review in this cause until February 8, 2016.

Respectfully Submitted,

/s/ Celina Lopez Leon
CELINA LOPEZ LEON
State Bar No. 24070170

LAW OFFICE OF SCOTT M. ELLISON, P.L.L.C.
410 Peoples Street
Corpus Christi, Texas 78401
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ATTORNEY FOR PETITIONER
NOEL CAMPBELL

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing motion has been served upon the Nueces County District Attorney's Office, at the Office of the Nueces County District Attorney on this 9th day of December, 2015.

/s/ Celina Lopez Leon
CELINA LOPEZ LEON

VERIFICATION

THE STATE OF TEXAS §

COUNTY OF NUECES §

BEFORE ME, the undersigned authority, personally appeared the undersigned counsel for the Appellant in the above-styled and numbered cause, who upon oath deposes and says that he has read the foregoing Motion for Extension of Time to File Appellant's Petition for Discretionary Review and that the facts contained therein are true and correct.

_/s/ Celina Lopez Leon
CELINA LOPEZ LEON

SUBSCRIBED AND SWORN TO BEFORE ME on this the 9th day of December, 2015.

Tiare Correa
Notary public in and for the State of Texas

My commission expires March 22, 2016

CAUSE NO. _____

ROBERT SCHMITT	§	IN THE COURT
Petitioner	§	
	§	
vs.	§	OF CRIMINAL APPEALS
	§	
THE STATE OF TEXAS,	§	
State	§	OF THE STATE OF TEXAS

ORDER

ON THIS the ____ day of _____, 2014, came to be heard Appellant's Motion for Extension of Time to File Appellant's Petition for Discretionary Review, submitted by **CELINA LOPEZ LEON** and the Court is of the opinion that it should be **GRANTED**.

IT IS THEREFORE ORDERED that Appellant's Petition for Discretionary Review be due on February 28, 2014.

SIGNED and **ENTERED** this _____ day of _____, 2014.

_____

PRESIDING JUDGE