FILED IN
COURT OF CRIMINAL APPEALS

December 11, 2015

ABEL ACOSTA, CLERK

PD-1604-15
COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
Transmitted 12/10/2015 12:14:29 PM
Accepted 12/11/2015 12:26:05 PM
ABEL ACOSTA
CLERK

Cause No: _____

JIM LARA	§	IN THE TEXAS COURT OF
	§	
VS.	§	CRIMINAL APPEALS
	§	
THE STATE OF TEXAS	§	AUSTIN, TEXAS

APPELLANT'S FIRST MOTION FOR EXTENSION OF TIME
FOR FILING PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE JUSTICES OF SAID COURT:

Comes now JIM LARA, Petitioner in the above entitled and numbered cause, by and through his attorney of record, FRED MARSH and moves the Court to extend the time for filing Petitioner's Petition for Discretionary Review in this cause, and in support of this Motion would show unto the Court as follows:

I.

On or about the 5th day of April 2013, the Petitioner was found guilty of the charge of Driving While Intoxicated and sentenced to 180 days probated for 15 months.

II.

Petitioner appealed his conviction to the Second Court of Appeals. The appeal was transferred to the Eighth Court of Appeals.

Jim Lara v. State of Texas, Cause No. 08-13-00221-CR.

The Eighth Court of Appeals affirmed Petitioner's conviction and sentence on November 13, 2015.

No motion for rehearing was filed in the Court of Appeals.

The petition for discretionary review is due on or about December 13, 2015.

This is Petitioner's first request for an extension of time.

Petitioner is requesting a thirty (30) day extension.

III.

The Attorney for Petitioner is preparing for felony trial in Denton County Cause No. F-2014-0364-C, which is scheduled to begin December 14, 2015.

IV.

Attorney for the State, Catherine Luft, has been contacted and does not oppose the extension.

V.

The purpose for this extension is not to seek delay but to see that justice is done.

WHEREFORE, PREMISES CONSIDERED, the Appellant prays that the Court issue an order extending the time within which the Brief for Appellant may be filed with the Clerk for this Court until the 13th day of January, 2015.

Respectfully Submitted,

/S/FRED MARSH
FRED MARSH
Attorney for Appellant
State Bar No. 13016000
101 S. Woodrow
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CERTIFICATE OF CONFERENCE

On the 10TH day of December 2014, attorney for the Appellant, FRED MARSH, spoke to Catherine Luft of the District Attorney's Office and she is not opposed to this motion.

/S/FRED MARSH
FRED MARSH

CERTIFICATE OF SERVICE

On the 10TH day of December 2014, a true and correct copy of the above and foregoing Appellant's Motion for Extension of Time for Filing Brief has been hand delivered to the Office of the Criminal District Attorney of Denton County, Texas, Fourth Floor, 1450 E. McKinney, Denton, Texas, 76209, in accordance with the Texas Rules of Criminal Procedure.

/s/FRED MARSH
FRED MARSH