PD-0893-14 & PD-0894-14
COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
Transmitted 12/10/2015 2:17:47 PM
Accepted 12/10/2015 3:26:17 PM
ABEL ACOSTA
CLERK

FILED IN
COURT OF CRIMINAL APPEALS

December 10, 2015

ABEL ACOSTA, CLERK

IN THE COURT OF CRIMINAL APPEALS
FOR THE STATE OF TEXAS

JOEY DARRELL FAUST and	§	
RAMON MARROQUIN,	§	
Appellants	§	
	§	
v.	§	**NOS. PD-0893-14 & PD-0894-14**
	§	
THE STATE OF TEXAS, Appellee	§	

Granted
12/14/15
Barbara Hervey

UNOPPOSED MOTION FOR EXTENSION OF TIME
FOR FILING OF MOTION FOR A REHEARING

TO THE HONORABLE TEXAS COURT OF CRIMINAL APPEALS:

Joey Darrell Faust and Ramon Marroquin, hereafter "movants," pursuant to Rule 79.6, Texas Rules of Appellate Procedure, respectfully request an extension of time to file their motion for a rehearing.

1.

On December 9, 2015, the Court handed down a majority opinion, two concurring opinions, and two dissenting opinions, along with a judgment reversing the decision of the Court of Appeals and ordering the trial court's judgments to be reinstated. Thus, the motion for rehearing is currently due on Christmas Eve, December 24, 2015.

2.

Counsel for movants is also lead counsel in Cause No. 02-15-00220-CV on the docket of the Court of Appeals for the Second District of Texas at Fort Worth,

Texas in *The Episcopal Church, et al v. Franklin Salazar, et al*, which is the largest church property case in the history of the United States. He, along with his co-counsel, The Honorable Scott A. Brister, are scheduled to file two Appellees' briefs caused by the numerous Appellants in that case filing tw o Appellants' briefs. Additionally, counsel for movants is involved in a dispositive hearing in Bryan, Texas on December 17 in Cause No. 14-001570-CV-272, *Baker v. Texas Department of Transportation, et al* on the docket of the 272nd Judicial District Court of Brazos County, Texas.

3.

Considering that these combined cases were pending the docket of the Court for almost ten (10) months and the multitude of opinions handed down reflecting that the issues are of great constitutional significance and the schedule movants' counsel has during the time to prepare and timely file a motion for rehearing on December 24, it is reasonable for the Court to grant an extension of time to file the motion for rehearing.

4.

Counsel for movants would normally request an extension of fifteen (15) days, but considering the holiday season, counsel requests an extension of twenty-one (21) days, making the motion for rehearing due January 14, 2016, which in effect gives an additional fifteen (15) days.

WHEREFORE, PREMISES CONSIDERED, Joey Darrell Faust and Ramon Marroquin pray that the Court grant this Unopposed Motion for Extension of Time of Filing of Motion for a Rehearing and extend the time for filing their motion for rehearing to January 14, 2016.

Respectfully submitted,

/s/ J. Shelby Sharpe
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ATTORNEY FOR APPELLANTS
JOEY DARRELL FAUST AND
RAMON MARROQUIN

CERTIFICATE OF CONFERENCE

I hereby certify that I spoke to counsel for the state of Texas, Charles M. Mallin, on December 10, 2015, who advised that he does not oppose this motion.

/s/ J. Shelby Sharpe
J. Shelby Sharpe

CERTIFICATE OF SERVICE

A true and correct copy of UNOPPOSED MOTION FOR EXTENSION OF TIME FOR FILING OF MOTION FOR A REHEARING has been served on Charles M. Mallin, Assistant Tarrant County District Attorney, 401 W. Belknap St., Fort Worth, Texas 76196-0201, on this 10th day of December, 2015, via electronic mail.

/s/ J. Shelby Sharpe
J. Shelby Sharpe