FILED IN
COURT OF CRIMINAL APPEALS

DECEMBER 18, 2015

ABEL ACOSTA, CLERK

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COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
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ABEL ACOSTA
CLERK

No. _____

IN THE COURT OF CRIMINAL APPEALS OF TEXAS, AT AUSTIN

Billy Keith Mims
Appellant

v.

The State of Texas
Appellee

On Appeal from San Saba County in Case No. 5708, from the 33rd District Court, the Hon. J. Allan Garrett, Judge Presiding and the Opinion of the Third Court of Appeals in Case No. 03-13-00266-CR, Delivered November 10, 2015.

Motion for Extension of Time to File Petition for Discretionary Review

TO THE JUDGES OF THE COURT OF CRIMINAL APPEALS:

COME NOW, Billy Keith Mims, by and through David A. Schulman, his undersigned attorney of record, and respectfully files this "Motion for Extension of Time to File Petition for Discretionary Review," asking that the Court grant a thirty (30) day extension of time in which Appellant may file a petition for discretionary review, and would show the Court as follows:

Procedural History

Appellant was convicted of five counts of aggravated sexual assault of a child and four counts of indecency with a child by contact. Notice of Appeal was timely given and an appeal prosecuted. The Court of Appeals' opinion from which review is sought was delivered by the Third Court of Appeals for Texas at Austin, in Case No. 03-13-00266-CR, which was delivered on November 10, 2015. Appellant's timely filed motion for rehearing was overruled by the Court of Appeals on November 30, 2015. Petition for discretionary review is timely if filed with the Clerk of the Court or properly addressed and post-marked on or before December 30, 2015.

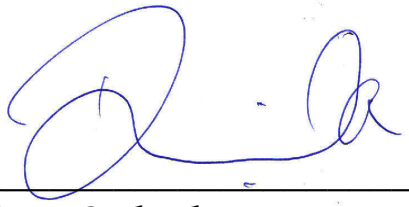
Reason Extension Should Be Granted

The undersigned will be representing Appellant in his petition for discretionary review. The undersigned's schedule is such that properly completing the petition by the end of the month is all but impossible. Consequently, the undersigned requests that the Court grant an extension of time in which the petition may be filed for a period of thirty (30) days.

Prayer

WHEREFORE, PREMISES CONSIDERED, Movant respectfully prays that this Honorable Court will grant Appellant a thirty (30) day extension of time in which the petition for discretionary review may be filed, until January 29, 2016, or until such time as set by the Court.

Respectfully submitted,



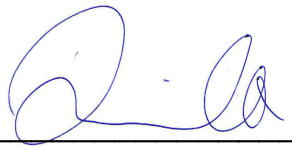
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Attorney for Billy Keith Mims

Certificate of Compliance and Delivery

This is to certify that: (1) this document, created using WordPerfect™ X7 software, contains 392 words, excluding those items permitted by Rule 9.4 (i)(1), Tex.R.App.Pro., and complies with Rules 9.4 (i)(2)(B) and 9.4 (i)(3), Tex.R.App.Pro.; and (2) on December 17, 2015, a true and correct copy of the above and foregoing "Motion for Extension of Time to File Petition for Discretionary Review" was transmitted via the eService function on the State's eFiling portal, to Gary W. Bunyard (g.bunyard@co.llano.tx.us), counsel of record for the State of Texas, and to Lisa McMinn (Lisa.McMinn@SPA.texas.gov), the State's Prosecuting attorney.



David A. Schulman