ACCEPTED
12-15-00039-CR
TWELFTH COURT OF APPEALS
TYLER, TEXAS
12/21/2015 10:27:17 PM
Pam Estes
CLERK

Cause No. 12-15-00039-CR

In the Court of Appeals for the
Twelfth Judicial District at Tyler, Texas

FILED IN
12th COURT OF APPEALS
TYLER, TEXAS
12/21/2015 10:27:17 PM
PAM ESTES
Clerk

Taurus Jenkins,
Appellant

v.

State of Texas,
Appellee

On Appeal from Cause No. 2014-0191 in the 159th
Judicial District Court of Angelina County, Texas

State's Third Motion for Extension (Unopposed)

To the Honorable Justices of this Court:

Appellee, State of Texas, moves for a 3-day extension of time to file its brief.

I.

Undre the Texas Rules of Appellate Procedure, the general deadline to file an appellee's brief is 30 days after the date the appellant's brief was filed. Tex. R.

App. P.38.6(b). Appellant's Brief was filed on October 7, 2015, giving the State until Friday November 6, 2015 to file its brief. On Thursday November 12, 2015 the State was granted a 30-day extension of time in which to file its brief, giving the State until Monday December 7, 2015 to file its brief. On December 9, 2015 the State was granted a 14-day extension of time in which to file its brief, giving the State until Monday December 21, 2015 to file its brief.

The State of Texas now requests a 3-day extension of time in which to file its brief.

II.

Good cause exists for allowing the State additional time to file its brief for the following reasons:

1. Counsel for the State suffered a broken leg and broken ankle on November 2, 2015 which required surgery on November 10, 2015. Counsel for the State was out of work from Monday November 2, 2015 until Friday December 11, 2015.

2. Counsel for the State has had numerous sentencing hearings (one requiring a trial court brief), a suppression hearing, and two non-jury trials over the last week.

3. Counsel for the State has over 20 cases in which she is lead counsel on that are set for jury selection on Monday January 4, 2016 which counsel is trying to prepare for trial.

4. Counsel for the State has substantially completed the brief and is requesting an extra three days to edit the brief.

5. Counsel for the Appellant is unopposed to this extension.

III.

From the above-listed reasons, the State has demonstrated that good cause for the failure to be able to submit its brief by the Court's deadline. This is the State's first motion for extension, and it is not brought for purposes of delay or harrassment, but to see that justice is done.

Wherefore, Appellee State of Texas prays that the Court grant its requested 3-day extension to file its State's Brief in this matter.

Respectfully Submitted,

/s/ April Ayers-Perez

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ATTORNEY FOR THE
STATE OF TEXAS

Certificate of Service

I certify that on December 21, 2015, a true and correct copy of the above document has been forwarded to Al Charanza, by electronic service through efile.txcourts.gov.

/s/ April Ayers-Perez

Certificate of Conference

I certify that on December 21, 2015, I conferred with Al Charanza about this motion, and certify that he was unopposed to a 3-day extension.

/s/ April Ayers-Perez