IN THE
TENTH COURT OF APPEALS

No. 10-16-00032-CR

ANDREW BRYAN ANTHONY,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the County Court
Navarro County, Texas
Trial Court No. 71225

ORDER

Appellant's brief was originally due March 23, 2016. One 60 day extension to file the brief has already been granted. Appellant now requests another 60 day extension.

Counsel asserts he is too busy preparing for various other criminal trials to get to this appeal. There is nothing to indicate that this appeal is anything other than a routine appeal. The motion to suppress, which according to appellant's current motion for extension of time is the subject of the appeal, has only 33 pages of testimony. Being too busy, especially after having been given 90 days already to fit this appeal into counsel's

schedule, is not a sufficient expression of the "particularity" of the "grounds on which the motion is based." TEX. R. APP. P. 10.1(a)(2). *See Richards v. State*, No. 10-13-00412-CR, (Tex. App.—Waco, Aug. 14, 2014, ord.) (not designated for publication) (citing *Tyree v. State*, 342 S.W.3d 808, 809 (Tex. App.—Amarillo 2011, order) ("We no longer want to be told that 'I am too busy with other stuff to do what you want.'")).

Accordingly, appellant's motion for extension of time to file his brief is denied. His brief is ordered to be filed no later than 5:00 p.m. on June 20, 2016. This gives appellant a total of 119 days to do what the appellate rules allocate 30 days in a routine appeal such as this. *See* TEX. R. APP. P. 38.6(a). If the brief is not timely filed, the Court will abate the appeal for a hearing to determine if appellant is receiving effective assistance of counsel. *See* TEX. R. APP. P. 38.8(b).

PER CURIAM

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion denied
Order issued and filed June 2, 2016