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COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
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NO. 04-15-00165-CR, NO. 04-15-00166-CR, NO. 04-15-00167-CR, NO. 04-15-00168-CR, NO. 04-15-00169-CR, NO. 04-15-00170-CR,

IN THE TEXAS COURT OF CRIMINAL APPEALS

AUSTIN, TEXAS

RICHARD BRUCE	**§**	
DEBENEDETTO	**§**	**APPELLANT**
	§	
V.	**§**	
	§	
THE STATE OF TEXAS	**§**	**APPELLEE**

FROM THE 4TH COURT OF APPEALS

SAN ANTONIO, TEXAS

STYLED Richard Bruce DeBenedetto

Appellant

v.

The State of Texas

Appellee

FILED IN
COURT OF CRIMINAL APPEALS

June 21, 2016

ABEL ACOSTA, CLERK

Delivered and filed,

May 25, 2016

AUSTIN, TEXAS

IDENTITIES OF PARTIES AND COUNSEL

RICHARD BRUCE DEBENEDETTO, APPELLANT, PETITIONER PRO SE

P.O. Box 3157
South Padre Island Texas 78597
Phone: (956) 572-0294
Fax: (956) 290-8394
Email: rickyde2000@aol.com

PATRICK O'FIEL, ATTORNEY FOR APPELLANT ON APPEAL

The Law Office of Attorney Patrick O'Fiel, P.C.
Texas Bar No. 24304606
The Schreiner Building
200 Earl Garrett, Ste. 206
Kerrville, Texas 78028
Phone: (830) 496-1257
Fax: (830) 257-9852
Email: patrick@ofiellaw.com

STATE OF TEXAS, APPELLEE

BRUCE CURRY 216TH DISTRICT ATTORNEY, ATTORNEY FOR APPELLEE

The 216th District Attorney's Office
Texas Bar No. 05268500
The Schreiner Building
200 Earl Garrett, Ste. 202
Kerrville, Texas 78028
Phone: (830) 896-4744
Fax: (830) 896-2620
Email: 216thda@bizstx.rr.com

PETITIONER'S FIRST MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE TEXAS COURT OF CRIMINAL APPEALS:

NOW COMES RICHARD DEBENEDETTO, Appellant and Pro Se Petitioner in the above numbered causes and files this his First Motion for Extension of Time to File Petition for Discretionary Review in the Texas Court of Criminal Appeals, under Rule 10.5(b)(3) TEXAS RULES OF APPELLATE PROCEDURES.

In support Petitioner would respectfully show this Court the following:

I

Petitioner, RICHARD BRUCE DEBENEDETTO, is requesting an extension of time to file his Petition for Discretionary Review, which is currently due to be filed on June 25 2016.

II

This is the first request to file this Motion for Extension of Time to File Petition for Discretionary Review in this matter.

III

The length of extension sought by the Petitioner is 20 days.

IV

The following facts are relied on to reasonably explain the Petitioner's need for an extension of time:

1. On May 25th 2015 the 4thCourt of Appeals delivered and filed its Memorandum Opinion affirming trial Court's decision regarding Richard Bruce DeBenedetto APPELLANT v. the STATE of Texas, APPELLEE.
2. Appellant Richard Bruce DeBenedetto was represented by Counsel Patrick O'Fiel in the aforementioned appeal.

3. Attorney for the Appellant Patrick O'Fiel was out of the country at the time of the Court's decision on May 25, 2016 and returned on or about May 31, 2016.
4. Immediately upon his return attorney for the Appellant informed Richard Bruce DeBenedetto of the Court's Memorandum Opinion through certified mail no . 9314869904300023642755.
5. Appellant received and signed for attorney's letter of May 31st and a copy of the Court's Memorandum Opinion on June 10, 2016. (See Attachments 9314869904300023642755 pages 1 and 2).

V

Appellant seeks to file his Petition for Discretionary Review Pro Se as there is no compelling state mandate by which Appellant's court appointed counsel may assist in the filing of said Petition.

VI

This is the first request for extension of time to file the Pro Se Appellant's Petition for Discretionary Review and the Petitioner is requesting additional time to prepare his Petition.

VI

This, a Petition for review of an Appellate Memorandum Opinion on a unique trial involving complex legal issues, having their foundation in Constitutional law and appellate standards unfamiliar to the Pro Se Petitioner. The Petitioner requires additional time to adequately address the issues of Appellate law required by this Petition.

VII

This motion is not being filed for purposes of delay, but rather so that justice may be served.

WHEREAS, PREMISES CONSIDERED, RICHARD BRUCE DEBENEDETTO, Petitioner Pro Se in this cause, requests additional time to prepare the Petition for Discretionary Review before the Texas Court of Criminal Appeals.

Respectfully submitted,

Richard Bruce DeBenedetto, Petitioner Pro Se
P.O Box 3157,
South Padre Island, Texas 78597
Tel: (956) 572-0294
Fax: (956) 290-8394

Richard Bruce DeBenedetto

By: _____

Richard Bruce. DeBenedetto

Petitioner Pro Se

CERTIFICATE OF SERVICE

I certify that a true copy of Petitioner's Motion for Extension of Time to File Petition for Discretionary Review was served in accordance with Rule 9.5 of the Texas Rules of Appellate Procedures on each party or that party's lead counsel on June 20, 2016.

A copy of this motion is being filed with the clerk of the Texas Court of Criminal Appeals in accordance with Rule 68.3 of the Texas Rules of Appellate Procedures.

Richard Bruce DeBenedetto

Richard Bruce. DeBenedetto