ACCEPTED
06-15-00222-CR
SIXTH COURT OF APPEALS
TEXARKANA, TEXAS
6/23/2016 3:51:10 PM
DEBBIE AUTREY
CLERK

No. 06-15-00222-CR

IN THE COURT OF APPEALS

FOR THE

SIXTH JUDICIAL DISTRICT OF TEXAS

FILED IN
6th COURT OF APPEALS
TEXARKANA, TEXAS
6/23/2016 3:51:10 PM
DEBBIE AUTREY
Clerk

BENJAIMIN ROBERT CAIN III, Appellant

VS.

THE STATE OF TEXAS, Appellee

APPEALED FROM THE 71ST DISTRICT COURT

HARRISON COUNTY, TEXAS

CAUSE NO. 13-0257X

STATE'S MOTION TO EXTEND TIME FOR FILING APPELLEE'S BRIEF

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BAR #08618050
ATTORNEY FOR THE STATE

TO THE HONORABLE JUSTICES OF THE COURT OF APPEALS:

COMES NOW THE STATE OF TEXAS, Appellee herein, and pursuant to Rule 10.5 (b), TEX.R.APP.PROC., and pursuant to the extension policies of this Court, makes this request to extend filing the brief in this cause and would show as follows:

I.

The deadline for filing Appellee's brief is June 23, 2016.

II.

Appellee requests an addition seven (7) days in which to complete the brief.

III.

Appellee's counsel has been overwhelmed with additional county duties, including but not limited to writ responses, mental hearings, open records responses, and contractual reviews, and has not had adequate time to complete her brief. Additionally, the motion to suppress transcript was recently provided to counsel two days ago which has a significant bearing on the appellant's argument.

III.

With a grant of an additional seven (7) days Appellee will be able to have the brief written and submitted to the Court.

IV.

There has previously been no motion filed for extension of time, or grants of time extended to Appellee, for the filing of Appellee's brief.

WHEREFORE, PREMISES CONSIDERED, THE STATE OF TEXAS, Appellee, respectfully requests that this Honorable Court of Appeals will, upon reviewing this Motion, grant the extension of time for filing Appellee's brief as requested herein, and for such other relief to which Appellee may be entitled.

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Respectfully Submitted
Coke Solomon
Criminal District Attorney
Harrison County, Texas

By: /s/ Laura M. Carpenter
Laura M. Carpenter,
Assistant District Attorney
Bar Card #08618050

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellee's Brief has been faxed to the attorney for Appellant, Vernard Solomon, this 23rd day of June, 2016.

/s/ Laura M. Carpenter