

Case No. 16-1005

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THE SUPREME COURT OF TEXAS

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KENNETH H. TARR,  
*Petitioner,*

v.

TIMBERWOOD PARK OWNERS ASSOCIATION, INC.,  
*Respondent.*

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**RESPONDENT'S SUPPLEMENTAL UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE BRIEF ON THE MERITS**

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On Petition for Review from the  
Fourth Court of Appeals at San Antonio, Texas  
No. 04-16-00022-CV

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TO THE HONORABLE COURT:

Respondent Timberwood Park Owners Association, Inc. ("Appellee"), files this Supplemental Unopposed Motion for Extension of Time to File Brief on the Merits ("Brief") pursuant to Texas Rules of Appellate Procedure 10.5(b) and 55.7. Respondent would respectfully show unto the Court the following:

1. The deadline for filing Respondent's Brief is July 31, 2017.
2. Respondent seeks a 7-day extension of time to file Respondent's Brief. Respondent respectfully requests that the Court extend the deadline for filing Respondent's Brief to August 7, 2017.
3. Respondent filed a motion for continuance yesterday. Today, Appellant learned that Petitioner is unopposed to the extension.
4. This is the first Motion for Extension of Time filed for Respondent's Brief with the Court. Respondent does not anticipate any further extensions will be necessary.
5. This extension of time is not requested for mere delay, but to allow Respondent adequate time to prepare Respondent's Brief.
6. Respondent is requesting additional time in order to thoroughly research and adequately brief these matters for the Court. Specifically, this appeal involves complex issues of civil and appellate law, requiring more time than usual to adequately brief the issues on appeal.

For these reasons, Respondent respectfully requests that this Court grant a 7-day extension of time to file Respondent's Brief.

Respondent also requests any further relief to which they may be entitled.

Respectfully submitted,  
Roberts Markel Weinberg Butler Hailey PC



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**ATTORNEYS FOR RESPONDENT  
TIMBERWOOD PARK OWNERS  
ASSOCIATION, INC.**

**CERTIFICATE OF COMPLIANCE**

Pursuant to Rule 9.4 i(3) of the Texas Rules of Appellate Procedure, I certify that the word count in this Response to Petition for Review is 448 words.



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FRANK O. CARROLL III

**CERTIFICATE OF CONFERENCE**

I hereby certify that on July 31, 2017, I attempted to confer with Petitioner’s counsel. On August 1, 2017, Petitioner’s counsel responded that he was not opposed.

  
FRANK O. CARROLL III

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was served upon the parties listed below by facsimile, messenger, regular U.S. Mail, certified mail, return receipt requested and/or electronic service in accordance with the Texas Rules of Appellate Procedure on this the 1st day of August, 2017.

Mr. J. Patrick Sutton  
The Law Office of J. Patrick Sutton  
1706 W. 10th Street  
Austin, Texas 78703

  
FRANK O. CARROLL III