

NO. PD-0561-18

LISANDRO BELTRAN DE LA TORRE	§	IN THE COURT OF CRIMINAL APPEALS
Appellant	§	COURT OF CRIMINAL APPEALS
VS.	§	10/31/2018
	§	APPEALS OF PERSONS CLERK
	§	
THE STATE OF TEXAS,	§	AUSTIN, TEXAS
Appellee		

**APPELLANT'S FIRST MOTION FOR EXTENSION  
OF TIME TO FILE APPELLANT'S BRIEF**

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW, LISANDRO BELTRAN DE LA TORRE, Appellant, and files this Motion for Extension of Time to File Appellant's Brief, pursuant to Tex. R. App. P. 10.1, 10.5(b) and 38.6(d). In support of this Motion, Appellant would show the following:

I.

The First Court of Appeals affirmed the judgment of conviction in an Opinion issued on March 15, 2018. Appellant's petition for discretionary on review was granted on October 3, 2018.

Appellant's brief is currently due to be filed by November 2, 2018. Counsel for Appellant requests an extension of fourteen (14) days within which to complete and file Appellant's Brief in this cause, or until November 16, 2018. This is Appellant's first request for extension of time.

## II.

Counsel for Appellant would show that the preparation and filing of Appellant's brief has been precluded for the following reasons:

- A. In the past 30 days counsel for Appellant has had to prepare for and attend numerous pre-trial settings on his regular criminal docket.
- B. Counsel for Appellant is preparing Appellant's Brief in the case styled *United States of America v. Ahudel Duarte-Medina*; No. 18-40874, pending in the United State Court of Appeals for the Fifth Circuit.
- C. Counsel for Appellant is also working on matters pertaining to state post-conviction writs of habeas corpus in *Ex Parte Burton Turner*, No. 1455210-A, pending in the 337th District Court of Harris County, Texas; *Ex Parte Rogelio Delacerda*, No. 1229727-B, pending in the 174th District Court of Harris County, Texas; and *Ex Parte Ibrahim Jubori*, No. 1401650A, pending in the 183rd District Court of Harris County, Texas.
- D. Counsel for Appellant had to travel out of town on October 10, 2018 and October 21-22, 2018 to visit incarcerated clients related to post-conviction matters in *State of Texas v. Refugio Hernandez* and *State of Texas v. Daniel Espinoza*, both pending in Harris County, Texas.
- E. Counsel for Appellant is preparing for a pre-trial conference and motions hearing scheduled November 2, 2018 in the case styled *State of Texas v. Marco Antonio Flores*, No. 19014, pending in the 253rd district court of Chambers County, Texas.

## III.

This request is not made for the purpose of delay, but rather this request is made to allow counsel adequate time to prepare Appellant's Brief. Appellant moves this Court for an order granting an extension of fourteen (14) days for Appellant to submit the brief in this case, or until November 16, 2018.

WHEREFORE, PREMISES CONSIDERED, Appellant moves this Court for an order granting an extension of fourteen (14) days, or until November 16, 2018, for Appellant to submit the brief in this case.

Respectfully submitted,

*/s/ Steven J. Lieberman*

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Motion for Extension of Time to File Appellant's Brief was served via e-mail delivery through eFile.TXCourts.gov to Jay Johannes, Colorado County Attorney's Office, and Stacey Soule, State Prosecuting Attorney, on this 31st day of October, 2018.

*/s/ Steven J. Lieberman*

STEVEN J. LIEBERMAN