

Case No. 16-1005

THE SUPREME COURT OF TEXAS

KENNETH H. TARR,
Petitioner,

v.

TIMBERWOOD PARK OWNERS ASSOCIATION, INC.,
Respondent.

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

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

TO THE HONORABLE COURT:

Respondent Timberwood Park Owners Association, Inc. ("Appellee"), files this Opposed 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. 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.
4. This extension of time is not requested for mere delay, but to allow Respondent adequate time to prepare Respondent's Brief.
5. 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 450 words.



FRANK O. CARROLL III

CERTIFICATE OF CONFERENCE

I hereby certify that on July 31, 2017, I attempted to confer with Petitioner’s counsel, Patrick Sutton. Mr. Sutton did not respond. Accordingly, this motion is filed as 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 31st day of July, 2017.

Mr. J. Patrick Sutton
The Law Office of J. Patrick Sutton
1706 W. 10th Street
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FRANK O. CARROLL III