

NO. PD-0878-17

THE STATE OF TEXAS, Appellant	§	IN THE COURT OF	FILED COURT OF CRIMINAL APPEALS 2/12/2018 DEANA WILLIAMSON, CLERK
vs.	§	CRIMINAL APPEALS	
JUAN MARTINEZ, JR., Appellee	§	AUSTIN, TEXAS	

MOTION FOR EXTENSION OF TIME
 TO FILE APPELLANT’S BRIEF

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Now comes, The State of Texas, appellant in the instant cause, by and through undersigned counsel, Edward F. Shaughnessy, and files this Appellant’s Motion for Extension of Time to File Appellant’s Brief. In support of the instant motion the Appellant would show unto this Court the following:

A.

The appellant was charged, by way of an indictment, returned by a Bee County grand jury, with the offense of Intoxication Manslaughter in Cause No. B-14-21-2123-0-CR-B. Prior to trial the defendant/appellee filed a written “Defendant’s Motion to Suppress. Following an evidentiary hearing on the motion the trial Court granted the Motion. The trial Court

thereafter entered written findings of fact and conclusions of law regarding the defendant/appellee's motion. The State of Texas thereafter appealed the ruling of the trial court to the Thirteenth Court of Appeals-Corpus Christi. The lower Court affirmed the order of the trial Court suppressing the evidence. *State v. Martinez (No. 13-15-00592-CR, Tex. App.-Corpus Christi, July 13, 2017)*. On January 24, 2018, this Court granted the State's Petition for Discretionary Review. The appellee would respectfully request a sixty (60) day extension of time to file the appellee's brief in the instant cause.

B.

Counsel is in the process of compiling brief in the following matter: Barry Coggins v. The State of Texas, Cause No.04-17-00532-CR. Counsel has recently filed a brief in the following matter: Emmanuel Galindo v. The State of Texas, Cause No. 04-17-00199-CR.

C.

In addition counsel is scheduled for a jury trial on February 14, 2018 in the 38th District Court in the murder case of The State of Texas v. John David Mendoza, Cause No, 15-08-11760-CR. Moreover the undersigned is scheduled for a murder trial in the 38th District Court on March 12, 2018 in

the case of The State of Texas v. Jeffrey Blume, Cause No. 12-09-11099-
CR.

D.

In addition the undersigned serves as a part-time Criminal law
Magistrate for the District Courts of Bexar County and as a Juvenile Referee
for the Juvenile Courts of Bexar County. Counsel has recently served and
continues to serve in both of those capacities.

PRAYER FOR RELIEF

Wherefore premises considered, the appellant would request that this Court grant the appellant an additional sixty (60) days in which to file a brief on behalf of the appellant.

Respectfully submitted,

/S/E. F. Shaughnessy
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CERTIFICATE OF SERVICE

I, Edward F. Shaughnessy, hereby certify that a copy of the instant motion was served upon Patrick Overman, attorney for the appellee, by mailing the motion to 331A N. Washington Street, Beeville Texas 78102 on this the 10 day of February, 2018.

/S/ E.F. Shaughnessy
Edward F. Shaughnessy, III
Attorney for the Appellant