

No. 16-0347

IN THE SUPREME COURT OF TEXAS

RICHARDSON EAST BAPTIST CHURCH,
Petitioner,

v.

**PHILADELPHIA INDEMNITY INSURANCE COMPANY
AND JAMES GREENHAW,**
Respondents.

On Petition for Review from the Fifth District Court of Appeals
Dallas, Texas
Cause No. 05-14-01491-CV

**PETITIONER'S FIRST MOTION FOR EXTENSION OF TIME
TO FILE ITS MOTION FOR REHEARING**

TO THE HONORABLE SUPREME COURT OF TEXAS:

Petitioner, Richardson East Baptist Church, files this Petitioner's First
Motion for Extension of Time to File its Motion for Rehearing:

A. INTRODUCTION

1. This court denied the petition for review on September 22, 2017.
2. The motion for rehearing is currently due to be filed on or before October 9, 2017.
3. Petitioner seeks an extension of 30 days, or up to and including November 8, 2017.
4. This is Petitioner's first request for an extension of time.

B. BASES FOR EXTENSION

5. In addition to attempting to prepare the reply brief in this case, Mr. Kelly has been working on the following deadlines:
 - ★ Prepared a motion for rehearing in *Algarie Graham v. Texas Concrete Enterprise Ready Mix, Inc.*, Cause No. 01-16-00616-CV, in the First Court of Appeals, Houston, Texas, filed on October 2, 2017;
 - ★ Prepared an amended Petition for Permissive Interlocutory Appeal in *HMR Funding, LLC v. Melford Ankrum and Best Transportation Service Inc.*, Cause No. 14-17-00702-CV, in the Fourteenth Court of Appeals, Houston, Texas, filed on October 2, 2017;
 - ★ Prepared a motion for rehearing in *Dawn Nettles v. GTECH Corporation and the Texas Lottery Commission*, Cause No. 05-15-01559-CV, in the Fifth Court of Appeals, Dallas, Texas, filed on October 6, 2017;

- ★ Preparing a reply brief in *Laurie Ann McRay, Infinity Capital, LLC, and McRay Money Management, LLC*, Cause No. 01-17-00149-CV, in the First Court of Appeals, Houston, Texas, due October 9, 2017;
- ★ Preparing a motion for rehearing in *Ruth Hernandez v. Oziel Gonzalez-Flores*, Cause No. 14-16-00197-CV, in the Fourteenth Court of Appeals, Houston, Texas, due October 11, 2017;
- ★ Preparing a brief on the merits in *Nabors Well Services, Ltd. f/k/a Pool Company Texas, Ltd. and Lauro Bernal Garcia v. Asuncion Romero, Individually and as Representative of the Estate of Aydee Romero, Deceased, and as Next Friend of Edgar Romero and Saul Romero, Esperanza Soto, Individually and as Next Friend of Esperanza Soto, Guadalupe Soto, Maria Elena Soto and Martin Soto*, Cause No. 16-0268, in the Supreme Court of Texas, due October 12, 2017; and
- ★ Preparation for hearing in *Cynthia Padilla v. Reinert Hay Company, LLC aka Reinert Hay CO LLC aka Reinert Hay Company, Heath Reinhert and Michael Donelson*, Cause No. 105737-E, in the 108th Judicial District Court of Potter County, Texas, on October 13, 2017.

C. PRAYER

Therefore, Petitioner respectfully asks that the Court grant its request and extend the time to file its motion for rehearing, or up to and including November 8, 2017.

Respectfully submitted,

KELLY, DURHAM & PITTARD, LLP

/s/ Peter M. Kelly

Peter M. Kelly (Lead Counsel)

State Bar No. 00791011

F. Leighton Durham, III

State Bar No. 24012569

1005 Heights Boulevard

Houston, Texas 77008

Telephone: 713.529.0048

Facsimile: 713.529.2498

Email: pkelly@texasappeals.com

Email: ldurham@texasappeals.com

and

Shannon E. Loyd

State Bar No. 24045706

THE LOYD LAW FIRM

12703 Spectrum Drive, Suite 201

San Antonio, Texas 78249

Telephone: 210.775.1424

Facsimile: 210.775.1410

info@theloydlawfirm.com

Counsel for Petitioner

Richard East Baptist Church

CERTIFICATE OF CONFERENCE

I, Peter M. Kelly, certify that I have conferred with opposing counsel, Andrew Edelman and William Pilat, counsel for Respondents, stated that they do not oppose this motion.

/s/ Peter M. Kelly
Peter M. Kelly

CERTIFICATE OF SERVICE

A true and correct copy of this *Petitioner's First Motion for Extension of Time to File its Motion for Rehearing* has been forwarded to all counsel of record on October 9, 2017, as follows:

William R. Pilat
KANE RUSSELL COLEMAN LOGAN PC
5051 Westheimer Road, Suite 1000
Houston, Texas 77056
Fax: 713.425.7700
wpilat@krcl.com

***Counsel for Respondent
Philadelphia Indemnity Insurance Company***

Andrew L. Edelman
Jay W. Brown
WINSTEAD PC
1100 JPMorgan Chase Tower
600 Travis Street
Houston, Texas 77002
Fax: 713.650.2400
aedelman@winstead.com
jbrown@winstead.com

***Counsel for Respondent
James Greenhaw***

Joseph R. Matetich
Office of Public Insurance Counsel
333 Guadalupe, Suite 3-120
Austin, Texas 78701
Fax: 512.322.4143
jmatetich@opic.texas.gov
Counsel for Amicus Curaie

/s/ Peter M. Kelly
Peter M. Kelly