

No. 16-0347

IN THE SUPREME COURT OF TEXAS

RICHARDSON EAST BAPTIST CHURCH,
Petitioner,

v.

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

On Appeal from the Fifth Court of Appeals
Dallas County, Texas
No. 05-14-01491-CV

**FIRST MOTION FOR EXTENSION OF TIME
TO FILE BRIEF ON THE MERITS**

TO THE HONORABLE SUPREME COURT OF TEXAS:

Petitioner, Richardson East Baptist Church, files this first motion for extension of time to file its brief on the merits, under the authority of Texas Rules of Appellate Procedure 55.3 and 10.5(b)(1), and would respectfully show.

A. INTRODUCTION.

1. The Court requested briefing on the merits on January 20, 2017, and set a briefing schedule.

2. Petitioner's brief on the merits is currently due February 21, 2017.
3. This is Petitioner's first request for extension of time.
4. This motion seeks an extension of 30 days, or up to and including March 23, 2017.

B. BASES FOR EXTENSIONS.

5. In addition to attempting to prepare the brief in this case, undersigned counsel for petitioner has been otherwise engaged in:

- * Prepared a motion for rehearing in *Pinnacle Health Facilities XV, LP d/b/a Woodridge Nursing and Rehabilitation v. Jorge Robles and Werner Robles, Individually and as Heirs of Zoila*, Cause No. 14-15-00924-CV, in the Fourteenth Court of Appeals, Houston, Texas, filed on January 30, 2017.
- * Prepared a reply brief on the merits in *Steven Painter; Tonya Wright, Individually and as Representative of the Estate of Earl A. Wright, III, Deceased; Virginia Weaver, Individually and as Next Friend of A.A.C., a Minor; and Tabitha R. Rosello, Individually and as Representative of the Estate of Albert Carillo, Deceased v. Amerimex Drilling I, Ltd.*, Cause No. 16-0120, in the Supreme Court of Texas, filed on February 6, 2017;
- * Prepared three separate responses to motion for summary judgment, in *Champagne Marks v. CNL Income FEC South Houston, LLC d/b/a*

Zuma Fun Center, Cause No. 2014-31431, in the 295th District Court, Harris County; attended mediation on February 14, 2017 and preparing for trial on March 6, 2017;

- * Preparing for trial in *Miguel A. Gomez, III, M.D., and Miguel A. Gomez, M.D., P.A. v. Memorial Hermann Health System and MHMD*, Cause No. 2012-53962, in the 333rd Judicial District Court, Harris County, set March 16, 2017;
- * Prepared a petition for review in *Infinity Capital II, LLC, Infinity Capital, LLC, Laurie A. McRay, and McRay Money Management, LLC, v. Strasburger & Price, LLP*, Cause No. 16-0947, in the Supreme Court of Texas, filed on February 17, 2017; and
- * Preparing a reply brief in *Barbara Technologies Corporation v. State Farm Lloyds and Christopher Blalock*, Cause No. 04-16-00420-CV, in the Fourth Court of Appeals, San Antonio, due February 24, 2017.

C. PRAYER.

6. Therefore, petitioner asks that the Court grant its request for an extension of 30-days to file its brief on the merits, or up to and including March 23, 2017.

Respectfully submitted,

KELLY, DURHAM & PITTARD, LLP

/s/ Peter M. Kelly

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***Counsel for Petitioner/Appellant
Richard East Baptist Church***

CERTIFICATE OF CONFERENCE

I, Peter M. Kelly, certify that I have attempted to confer with opposing counsel Andrew Edelman. At the time of the filing of this motion, I am unable to state whether counsel for Respondents oppose this request for an extension of time.

/s/ Peter M. Kelly
Peter M. Kelly

CERTIFICATE OF SERVICE

A true and correct copy of this *Motion for Extension* has been forwarded to all counsel of record on February 21, 2017, as follows:

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