

No. 04-16-00572-CV

IN THE COURT OF APPEALS FOR THE
FOURTH JUDICIAL DISTRICT
at San Antonio, Texas

RONALD F. AVERY, et al,
Appellant,
v.
GUADALUPE APPRAISAL DISTRICT,
Appellee.

Appealed from the 25th Judicial District Court of
Guadalupe County, Texas
Trial Court Cause No. 15-2442-CV
The Honorable W.C. Kirkendall, Presiding

FIRST UNOPPOSED MOTION TO EXTEND TIME FOR
FILING APPELLEE, GUADALUPE APPRAISAL DISTRICT'S, BRIEF

TO THE HONORABLE COURT OF APPEALS:

Pursuant to Rules 10.5(b) and 38.6(d) of the Texas Rules of Appellate Procedure, the Appellee, Guadalupe Appraisal District, moves this Court for a 30-day extension of time to file its Appellee's Brief, and respectfully states as follows:

I. INTRODUCTION AND SUPPORT FOR MOTION

1. This is an appeal of issues related to an ad valorem taxation case. The Appellant claims this tax is unconstitutional.

2. The Appellant timely filed his brief on November 14, 2016.
3. The Appellee, Guadalupe Appraisal District's brief is currently due on, or before, December 14, 2016.
4. The Appellee needs additional time to file its brief because of its counsel's prior work obligations, motion practice, administrative matters, and various settings throughout Texas. More specifically, counsel for the Guadalupe Appraisal District has been out-of-state, preparing for and speaking at conferences and for prospective legislative matters, in addition to reviewing scores of answers in lawsuits filed against appraisal districts across Texas the last three weeks. Counsel is also involved in drafting a Response to a Brief on the Merits before the Texas Supreme Court in Cause No. 15-0965; *Ward County Appraisal District v. EES Leasing, LLC and EXLP Leasing, LLC* that is due on or before December 22, 2016.
5. The Appellee, Guadalupe Appraisal District, is cognizant of the Court's and Appellant's need to move this matter forward.
6. Therefore, the Appellee, Guadalupe Appraisal District, **seeks a thirty (30) day extension of time** to file its Appellee's Brief, which, if granted, would make the Briefing **due on or before Friday, January 13, 2017**.
7. This is the Appellee's first request and motion for an extension of time in

this matter.

8. The requested extension of time is necessary to allow Appellee's counsel sufficient time to prepare the brief and satisfy other pre-existing obligations.
9. Counsel for the Appellee, Guadalupe Appraisal District, has conferred with Mr. Ronald F. Avery, the pro se Appellant, and he does not oppose this motion to extend time for thirty more days;
10. This extension is not being sought for purposes of delay, but so the issues involved in this case may be properly briefed and presented to this Court.

II. CONCLUSION & PRAYER

11. For these reasons, the Appellee, Guadalupe Appraisal District, respectfully requests that this Court grant this, its First Unopposed Motion to Extend Time for Filing its Appellee's Brief and extend the deadline for timely filing said Brief from Wednesday, December 14, 2016 to Friday, January 13, 2017.

Respectfully submitted,

/s/ Christopher S. Jackson

Christopher S. Jackson

Texas Bar Number: 00796816

**PERDUE, BRANDON, FIELDER,
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ATTORNEY FOR APPELLEE,

GUADALUPE APPRAISAL DISTRICT

CERTIFICATE OF CONFERENCE

The undersigned counsel hereby certifies, pursuant to Tex. R. App. P. 10.1(a)(5), that I have conferred with Mr. Ronald F. Avery, the pro se Appellant, regarding this *First Unopposed Motion to Extend Time for Filing Appellee, Guadalupe Appraisal District's, Brief*. He did not oppose this motion.

/s/ Christopher S. Jackson

Christopher S. Jackson

CERTIFICATE OF SERVICE

This is to certify that pursuant to Tex. R. App. P. 6.3, 9.5, Tex. R. Civ. P. 21 and 21a, on the 8th day of December 2016, a true and correct copy of the foregoing *First Unopposed Motion to Extend Time for Filing Appellee, Guadalupe Appraisal District's, Brief* was served upon Appellee, via e-service on the same date.

Mr. Ronald F. Avery
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Appellant, pro se

/s/ Christopher S. Jackson
Christopher S. Jackson