

CAUSE NO. 13-23-00272-CV

IN THE THIRTEENTH DISTRICT COURT OF APPEALS
CORPUS CHRISTI - EDINBURG, TEXAS

FILED IN
CORPUS CHRISTI/EDINBURG, TEXAS
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KATHY S. MILLS
Clerk

Novus Prime Properties, LLC v. Space Exploration Technologies Corp.

**APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE APPELLATE BRIEF**

**ON APPEAL FROM THE 107th JUDICIAL DISTRICT COURT OF
CAMERON COUNTY, TEXAS
HONORABLE BENJAMIN EURESTI, JR., JUDGE PRESIDING**

To the Honorable Thirteenth Court of Appeals:

Pursuant to Texas Rule of Appellate Procedure 38.6(d), Appellant, NOVUS PRIME PROPERTIES, LLC., hereinafter referred to as “NOVUS,” by and through its appellate counsel of record, and files this motion respectfully requesting an order extending the time to file Appellant’s appellate brief, and respectfully show the Honorable Court the following:

1. The deadline for filing appellant’s appellate brief in this Court is Monday, August 7th, 2023.
2. Appellant seeks an order extending the time for filing appellant’s appellate brief for fourteen (14) day, so that appellant’s appellate brief would be due for filing before this Court on Monday, August 21, 2023.

3. Appellant request this extension of time to file its appellate brief because:
 - a. For two out of the three weeks during the current appellate briefing time schedule, Appellant's appellate counsel's, Gustavo A. Grajales, trial and contested hearing schedule was set and is set as follows:
 - i. Preparing for a final hearing on a contested motion for a felony examining trial in Cause No. 2023-XMG-0714 on August 4, 2023;
 - ii. Preparing for a final hearing on a contested extradition in 2023-DHC-01908 on August 4, 2023;
 - iii. Preparing for a contested writ of habeas corpus in Cause No. 2023-CV-0235-A on July 25, 2023;
 - iv. Preparing for a final hearing on a contested civil asset forfeiture in Cause No. 2021-CV-0506-A on July 25, 2023.
 - b. Appellant seeks an extension of time which is no longer than necessary for it to complete its brief in the light of the aforementioned contested trial and hearing schedule.
4. This Court has granted zero (0) previous extensions regarding the filing of this brief.
5. On August 1, 2023, the 107th Judicial District Court granted a continuance on the jury trial setting until December 2023.

6. On August 1, 2023, via email, Mr. Grajales confirmed with Appellee's counsel, Francisco J. Orozco, Jr., that Appellee is unopposed to Appellant's motion.
7. The extension of time requested will not prejudice or inconvenience Appellee in any manner.

Prayer for Relief

8. Therefore, Appellant respectfully requests that the Honorable Court issue an order extending the time for filing the appellant's brief in the above case to Monday, August 21, 2023.

Respectfully submitted,

**The Law Office of
Gustavo A. Grajales, PLLC**

By: /s/ Gustavo A. Grajales
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CERTIFICATE OF CONFERENCE

I certify Appellant's counsel, Gustavo A. Grajales, conferred with opposing counsel via telephone call concerning the matters raised in this motion on Monday July 31, 2023 and via email on Tuesday August 1, 2023. The parties could agree to this motion, which is therefore unopposed.

/s/ Gustavo A. Grajales
Gustavo A. Grajales

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was provided to all counsel via Email, Facsimile, Certified Mail Return Receipt Requested, Regular Mail and/or Express Carrier on August 1, 2023.

VIA E-SERVICE

Francisco J. Orozco, Jr.
Sanchez, Whittington, Wood & Orozco, LLC
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/s/ Gustavo A. Grajales
Gustavo A. Grajales

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Benigno Martinez on behalf of Tomas Tijerina

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Filing Description: Appellant's Unopposed Motion for Extension of Time to File Appellate Brief

Status as of 8/2/2023 8:14 AM CST

Associated Case Party: Novus Prime Properties, LLC

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