

WILLIAM OWENS	§	ON WRIT OF CERTIORARI
Petitioner	§	
	§	
VS.	§	TO THE
	§	
STATE OF TEXAS	§	
Respondent	§	UNITED STATES SUPREME COURT

**SECOND MOTION TO EXTEND TIME FOR FILING STATE'S BRIEF**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas by and through her below named Criminal District Attorney and hereby requests an extension until May 23, 2019 for the filing of the State's Brief and in support of the same should show the Court as follows:

I.

1. This case is pending from the 202<sup>nd</sup> Judicial District of Bowie County, Texas.
2. The State did not receive the Petitioner's brief until after the first deadline.

Then, this Court granted the State an extension until on or about April 22, 2019.

3. The Brief was not timely prepared in this matter due to the press of the business. Said business includes, but is not limited to, the following since Appellant's brief was filed:

- Preparation of brief for Patrick Jordan v. State, No. PD-0899-18;
- Preparation of brief for *Bryan White v. State*, No. 06-18-00205-CR;
- Preparation of brief in *Jimmy Mathis v. State*, No. 06-18-00189-CR;
- Preparation for motions (38.37 and outcry) and trial and meetings on State of Texas v. Gary Tanner Royal, Cause No. 18F1154-102—Aggravated Sexual Assault of a Child;

- Preparation for trial and meetings on State of Texas v. Melodi Roderick, 15F0846-102, Money Laundering. Trial originally set for April 16, 2019. Case settled on April 11, 2019;
- Preparation for trial and meetings on State of Texas v. Charles Garton, Cause No. 18F05323-102, Aggravated Sexual Assault of a Child. Trial set for May 21, 2019;
- Preparation for trial and meetings on State of Texas v. Russell Little, Cause No. 17F0573-102, Trial Set for June 11, 2019;
- Preparation of Bowie County Grand Jury on March 22, 2018 and April 4, 2019;
- Preparation for and meetings on pre-trial dockets on April 2, 2019.
- Attendance and preparation for and meetings on pre-trial dockets on March 5, 2019 and March 6, 2019.

## II.

The State's attorney has been diligent in pursuing this appeal and is not seeking this extension for the purpose of delay.

**PRAYER**

WHEREFORE, on the bases of Rule 73 of the Texas Rules of Appellate Procedure, the State respectfully requests this Court to grant the Motion for Extension of Time for the filing of the State's Brief.

Respectfully submitted,

/s/ Randle Smolarz

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ASSISTANT DISTRICT ATTORNEY

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Motion to Extend Time for Filing State's Brief was forwarded to Petitioner on April 23, 2019.

/s/ Randle Smolarz

Randle Smolarz