

CASE NO. 01-23-00362-CV

IN THE COURT OF APPEALS  
FOR THE FIRST JUDICIAL DISTRICT  
HOUSTON, TEXAS

FILED IN  
1st COURT OF APPEALS  
HOUSTON, TEXAS  
6/10/2024 10:23:24 AM  
DEBORAH M. YOUNG  
Clerk of The Court

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IN THE ESTATE OF NELVA E. BRUNSTING

Candace Louise Curtis

Appellant

V.

Carl Henry Brunsting, Individually and as Independent Executor of  
the Estates of Elmer H. Brunsting & Nelva E. Brunsting, *Et Al*  
Appellees

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UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO FILE THE  
APPELLEES' REPLY BRIEF ON APPELLATE COURT JURISDICTION  
BY CO-TRUSTEE ANITA K. BRUNSTING, CO-TRUSTEE AMY R.  
BRUNSTING, & CARL H. BRUNSTING

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On Appeal from Probate Court No. Four (4)  
Harris County, Texas  
C.A. No. 412249-401

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CO-TRUSTEE ANITA K.  
BRUNSTING REPRESENTED BY:

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TO THE HONORABLE COURT OF APPEALS:

Co-Trustee Anita K. Brunsting, Co-Trustee Amy R. Brunsting, and Carl H. Brunsting, Individually (collectively the Appellees, and each an Appellee as determined by the context), jointly move the Court to extend the time for the Appellees to file a reply brief to the Appellant's brief on Appellate Court Jurisdiction, and would respectfully show the Court as set forth herein.

1. On February 22, 2024, the Court ordered the Appellant to file a response brief on the issue of Appellate Court Jurisdiction. Appellant filed her brief on March 7, 2024.

2. On June 6, 2024, the Court ordered the Appellees to file a reply brief on the issue of Appellate Court Jurisdiction. The Court imposed a 14-day deadline, which makes the Appellees' deadline June 20, 2024.

3. This is Appellees' first request to extend the time to file a reply brief. The Appellees seek a mere eight-day (8) extension from June 20, 2024 to June 28, 2024.

4. The reasons for the additional time are as follows:

- A. The undersigned has been and continues to be the lead author on matters filed before this Court, and in order for the Appellees to file a single reply brief, additional time is required.
- B. Long before the Court's June 6, 2024 order, the undersigned has been registered for a business conference in Charlotte, NC. The registration was initiated in January 2024, and was prepaid, with no right of refund. Hotel and plane reservations have been established for some time, and there is no longer a right of full refund.
- C. The undersigned leaves for the airport this morning, June 10, 2024, and will not return to the office until June 14, 2024. Each day of the business conference is a full-day of attendance, with meetings extended into the dinner hour. As such, the undersigned will not be able to start any material progress on the reply brief until Monday, June 17, 2024.
- D. Once the material provisions of the reply brief are established by the undersigned, the Appellees' counsel intend to work diligently to have a coordinated effort to issue a single reply brief. This, in turn, will require coordinating the schedules of

multiple lawyers across the three law firms, which will be challenging, given the short briefing schedule.

5. This request is not sought for delay, but so that justice can be done, and so that the Appellees' respective counsel will have the time reasonably required to prepare a single, cogent reply brief on the issue of Appellate Court Jurisdiction.

For these reasons, Appellees respectfully request that this Court: (a) grant their motion for extension of time; (b) give Appellees until June 28, 2024 to file their reply brief; and (c) grant Appellees such other and further relief to which they may be entitled.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,

*// s // Stephen A. Mendel*

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Attorney for Anita K. Brunsting, Co-Trustee of the Brunsting Family Trust

Respectfully submitted,

*// s // Bobbie G. Bayless*

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Respectfully submitted,

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Attorney for Amy R. Brunsting, Co-Trustee of the Brunsting Family Trust

## **Certificate of Conference**

Per TEX. R. APP. P. 10.1(5), undersigned counsel confirms that Appellant is unopposed to this motion.

*// s // Stephen A. Mendel*

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Stephen A. Mendel

## **Certificate of Service**

As required by TEX. R. APP. P. 6.3 and 9.5(b), (d), and (e), I certify that I served this document on all other parties—which are listed below—as follows:

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via e-service and/or email on June 10, 2024.

Attorney for Carole Ann Brunsting,  
Individually

*// s // Stephen A. Mendel*

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Stephen A. Mendel

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Filing Description: Unopposed Joint Motion for Extension of Time to File Appellees' Reply Brief on Appellate Court Jurisdiction  
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