

**[CAPTION]**

**VERIFIED MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF**

The Appellant, pursuant to Ind. Appellant Rule 35, respectfully requests an extension of time to file the Appellant's Brief. In support of the Motion, the Appellant would show the Court as follows:

1. On [insert date], the trial court sentenced the Appellant to [insert sentence] for [insert offense(s)].
2. [Insert date of Order and Order from which the Appellant is appealing].
3. On [insert date], the Appellant timely filed a Notice of Appeal from the trial court's denial of [insert Order or judgment from which the Appellant is appealing].
4. On [insert date], the Court Reporter of [insert trial court] filed a Notice of Filing of Transcript with the Clerk of [insert trial court].
5. The Clerk of the [insert trial court], on [insert date], filed a Notice of Completion of the Clerk's Record, and on [insert date], filed a Notice of Completion of Transcript.
6. Accordingly, Appellant's Brief is due on or about [insert date].
7. Despite the exercise of due diligence, counsel for Appellant will be unable to complete the Appellant's Brief due to following other obligations of undersigned counsel since the receipt of the Notice of Completion of the Transcript.  
  
[LIST ALL COURT DATES, DEADLINES AND OBLIGATIONS PREVENTING  
FILING OF BRIEF ON ORIGINAL DUE DATE; LIST SIZE AND COMPLICATION  
OF APPEAL, IF APPLICABLE].
8. Despite the exercise of due diligence and counsel's additional commitments and responsibilities, the time presently allowed to complete the Appellant's Brief will not suffice.
9. Undersigned counsel respectfully submits that a [insert desired number of days] day extension of time should be sufficient for completion and filing of the Appellant's Brief.

10. [PICK ONE: The Appellant is currently incarcerated in [insert jail or prison with address. The Appellant has been released on bond. The Appellant is currently serving his probation. OR The trial court stayed the execution of the Appellant's sentence pending the outcome of his appeal].

WHEREFORE, Appellant requests an additional [insert desired number] days in which to complete Appellant's Brief, to and including [insert desired due date], and for all other relief just and proper in the premises.

(Signature)

**VERIFICATION**

Undersigned counsel verifies that the facts contained herein are true and accurate.

(Signature of Attorney)

## **REFERENCES**

Indiana Rule of Appellate Procedure 35(B)(1)(h) (if motions is filed within seven days before expiration of time, the reasons why counsel was unaware of the need for extension must be included within motion).