**CAUSE NO: {{cause\_number}}**

|  |  |
| --- | --- |
| **IN THE MATTER OF**  **THE MARRIAGE OF**  **{{petitioner\_name}}**  **AND**  **{{respondent\_name}}** | **IN THE DISTRICT COURT**  **{{court\_number}} JUDICIAL DISTRICT**  **{{county}} COUNTY, TEXAS** |

**MOTION FOR NEW TRIAL**

{{movant\_alignment}}, {% if movant\_alignment == “Petitioner” %}{{petitioner\_name}}{% else %}{{respondent\_name}}{% endif %} files this Motion for New Trial pursuant to Rule 329(b) for the purpose of extending the Court’s plenary power and Movant’s appellate deadlines. {% if verbose == False %} This Motion for New Trial is filed pursuant to Texas Rule of Civil Procedure 329b(a) for the sole purpose of extending appellate deadlines. “The filing of a motion for new trial in order to extend the appellate timetable is a matter of right, whether or not there is any sound or reasonable basis for the conclusion that a further motion is necessary.” *Old Republic Ins. Co. v. Scott*, 846 S.W.2d 832, 833 (Tex. 1993). {% endif %}

**{%p if verbose == True %}**

1. **Introduction**: This Motion for New Trial is filed pursuant to Texas Rule of Civil Procedure 329b(a) for the sole purpose of extending appellate deadlines.
2. **Authority**: Texas Rule of Civil Procedure 329b(a) and case law provide the authority for this motion. While Texas law generally requires that a motion for new trial articulate specific grounds believed to warrant a new trial, such a motion may also be filed for the strategic purpose of extending appellate timelines, thereby allowing a party additional time to consider and prepare for appeal. “The filing of a motion for new trial in order to extend the appellate timetable is a matter of right, whether or not there is any sound or reasonable basis for the conclusion that a further motion is necessary.” *Old Republic Ins. Co. v. Scott*, 846 S.W.2d 832, 833 (Tex. 1993).
3. **Factual Background**: The final judgment in this case was signed by this Court on {{judgment\_date}}. Under Texas Rule of Appellate Procedure 26.1, the deadline for filing a notice of appeal is thirty days after the judgment is signed, with an extension up to ninety days if a motion for new trial is timely filed. This motion is filed within thirty days after the judgment was signed.
4. **Purpose**: The purpose of this Motion is not to contest the merits of the Court's final judgment at this time but to extend the deadline for determining whether to pursue an appeal. This extension is sought in good faith to allow {{movant\_alignment}} sufficient time to fully evaluate the legal and factual basis of the Court's judgment and to prepare an effective appeal, if deemed appropriate.

{%p endif %}

Respectfully submitted,

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/s/ Thomas J. Daley

Thomas J. Daley

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Attorney for {{movant\_alignment}}

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this pleading was served on each party or attorney of record in compliance with the Texas Rules of Civil Procedure on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

{{oc\_name}}, Esq., Attorney for {% if movant\_alignment == “Petitioner” %}Respondent{% else %}Petitioner{% endif %}

Via Electronic Filing Manager to {{oc\_email}}

/s/ Thomas J. Daley

Thomas J. Daley

Attorney for {{movant\_alignment}}