

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY CLARKE,	)	No. 80130
	)	
Appellant,	)	
vs.	)	
	)	
THE STATE OF NEVADA,	)	
	)	
Respondent.	)	
_____	)	

MOTION FOR ENLARGEMENT OF TIME

Comes now, Appellant ANTHONY CLARKE, by and through his attorney of record, Carolyn E. Tanner, Esq., and moves this Court for an enlargement of time to within which to file Appellant’s Opening Brief. This unopposed motion is based upon the following declaration of counsel, and all papers and pleading on file.

DATED this 8th day of July, 2020.

By: /s/ Carolyn E. Tanner  
CAROLYN E. TANNER, ESQ.  
Bar No. 5520  
216 E. Liberty Street  
Reno, NV 89501  
775.323.4657  
lina@tanner1nv.com

Attorney for Appellant

## DECLARATION

I, CAROLYN E. TANNER, am a duly licensed attorney in the State of Nevada and am appointed counsel for Appellant ANTHONY CLARKE. Appellant's Opening Brief is due on July 10, 2020, after obtaining the telephonic extension of time, and an additional extension of time on June 12, 2020, which was granted by this Court on June 29, 2020. The purpose of the motion for extension of time filed on June 12<sup>th</sup> was to obtain sealed portions of transcripts that were inadvertently omitted in the first order of the district court allowing transcripts at public expense. The undersigned counsel filed an ex parte motion seeking the sealed portions of transcripts on June 12<sup>th</sup> as well. Upon information and belief, Judge Hardy, the assigned district court judge, was out of the office for three weeks, and the Order approving counsel's motion for sealed transcripts was issued on June 30, 2020. The undersigned sent a copy of this Order on that same date to the court reporter. To date, the undersigned has not yet received the sealed transcripts.

In addition to the need for an extension of time to obtain the sealed transcripts, the undersigned has taken on employment that begins on Monday, July 13, 2020, and this requires the undersigned to give up the conflict contract with Washoe County and move to withdraw from most of the pending matters assigned thereunder, including the assignment of counsel to the instant case. The

Administrator of the conflict contract has new counsel ready to take over; however, new counsel will need some additional time to review the matter. Accordingly, the undersigned asks that the Court allow new counsel an additional six (6) weeks to file the opening brief. Counsel has conferred with Respondent Washoe County District Attorney's Office, and Respondent has no objection to this motion for extension of time.

This Court may extend the time to file an Opening Brief upon a showing of good cause. NRAP 31 (b). Appellant makes this fourth request for an extension of time. Counsel seeks an extension to file the Opening Brief, to **Monday, August 17, 2020**. This motion is made in good faith and not for purposes of undue delay.

I declare under penalty of perjury that the factual representations set forth in this memorandum are true and correct.

DATED this 8<sup>th</sup> day of July, 2020.

By: /s/ Carolyn E. Tanner

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216 E. Liberty Street  
Reno, NV 89501  
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lina@tanner1nv.com

Attorney for Appellant

## CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Tanner Law & Strategy Group, LTD; that on or about June 12, 2020, the foregoing was electronically filed with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (Eflex). Participants in the case who are registered with Eflex as users will be served by the Eflex system.

Dated: July 8, 2020.

*/s/ Carolyn E. Tanner*  
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Carolyn E. Tanner