

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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3
4 ANDREW YOUNG,)
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Mar 08 2022 08:21 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Case No. 83243

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29 **APPELLANT’S MOTION FOR LEAVE TO FILE**
30 **OPENING BRIEF IN EXCESS OF**
31 **TYPE-VOLUME LIMITATION**

32 Comes Now Appellant, ANDREW YOUNG, by and through his counsel,
33 NANCY M. LEMCKE, and moves this Honorable Court for leave to file an
34 Opening Brief in excess of type-volume limitations. This Motion is based upon
35 the attached Declaration of Counsel.

36 DATED THIS 8th day of March, 2022.

37 Nancy Lemcke Law, LLC

38 By /s/ Nancy L., Lemcke
39 NANCY L. LEMCKE, #5416
40 Nancy Lemcke Law, LLC
41 10161 Park Run Drive, Ste. 150
42 Las Vegas, NV 89145
43 (702) 902-6691
44 Nancy.Lemcke@LemckeLawLV.com
45 Attorney for Defendant/Appellant

1 **DECLARATION OF NANCY M. LEMCKE**

2 1. I am an attorney licensed to practice law in the State of Nevada; I
3 am the attorney appointed to represent Appellant ANDREW YOUNG in this
4 appeal; and I am familiar with the procedural history of this case.
5

6 2. The instant Opening Brief derives from a 22-count felony jury trial
7 in which approximately 17 witnesses testified for the prosecution. Mr. Young was
8 convicted of all but two of the charged crimes. The trial court adjudicated him a
9 habitual offender and sentenced him to, *inter alia*, nine consecutive sentences of
10 life with the possibility of parole beginning after 10 years (for an aggregate total of
11 90 years to life in prison).
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14 3. Given the nature and complexity of the charges and sentences,
15 Mr. Young's case required extensive briefing.
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17 4. The complexity of the briefing was compounded by the fact
18 that none of the victims in the case could identify Mr. Young as a perpetrator;
19 accordingly, it fell to law enforcement to attempt to identify him by other means,
20 such as obtaining and narrating surveillance video.
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23 5. Additionally, the trial court adjudicated Mr. Young a habitual
24 criminal based upon several purported prior felony convictions. However, many
25 of those convictions were very old, and the documentation supporting them was, at
26 best, difficult to discern.
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1 6. Effective presentation of these and other issues – and effective
2 articulation of the complicated facts -- required briefing in excess of that otherwise
3 allowed by NRAP 32(a)(7).
4

5 7. Accordingly, I am requesting that this Honorable Court grant
6 Appellant leave to submit the Opening Brief in excess of 14,000 words and 1,300
7 lines of text. The instant Opening Brief contains approximately 17,574 words and
8 1,725 lines of text.
9

10
11 I declare under penalty of perjury that the foregoing is true and
12 correct.

13
14 EXECUTED on the 8th day of March, 2022.

15
16 /s/ Nancy M. Lemcke
17 Nancy M. Lemcke

18
19
20 **CERTIFICATE OF COMPLIANCE**
21

22 1. I hereby certify that the OPENING BRIEF complies with the
23 formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP
24 32(a)(5) and the type style requirements of NRAP 32(a)(6) because:
25

26 The Opening Brief has been prepared in a proportionally spaced
27 typeface using Times New Roman in 14 size font.
28

1 2. I further certify that the Opening Brief is proportionately spaced,
2 has a typeface of 14 points or more and contains 17,574 words and 1,725 lines of
3 text which exceeds the limitations set forth in NRAP 32(a)(7).
4

5 DATED this 8th day of March, 2022.
6

7 Nancy Lemcke Law, LLC
8

9
10 By /s/ Nancy L. Lemcke
11 NANCY L. LEMCKE, #5416
12 Nancy Lemcke Law, LLC
13 10161 Park Run Drive, Ste. 150
14 Las Vegas, NV 89145
15 (702) 902-6691
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17 Attorney for Defendant/Appellant
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that this document was filed electronically with the
3 Nevada Supreme Court on the 8th day of March, 2022. Electronic Service of the
4 foregoing document shall be made in accordance with the Master Service List as
5 follows:
6
7

8 AARON D. FORD
9 ALEXANDER CHEN

NANCY LEMCKE
Nancy Lemcke Law, LLC

10 I further certify that I served a copy of this document by mailing a
11 true and correct copy thereof, postage pre-paid, addressed to:
12

13 ANDREW YOUNG, ##92511
14 High Desert State Prison
15 P.O. Box 650
16 Indian Springs, NV 89018

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18 BY /s/ Nancy L. Lemcke
19 Employee, Nancy Lemcke Law, LLC
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