

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANDREW YOUNG,
Appellant,
v.
THE STATE OF NEVADA,
Respondent.

Electronically Filed
Apr 07 2022 07:21 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 83243

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, JOHN AFSHAR, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This Motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 7th day of April 2022.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ John Afshar*

JOHN AFSHAR
Deputy District Attorney
Nevada Bar #014408
Office of the Clark County District Attorney

MEMORANDUM

I, JOHN AFSHAR, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office. I am the supervising attorney in the above-captioned case. Respondent's Answering Brief is currently due April 7, 2022. The State requests a ninety-day (90) extension of time in which to file its Answering Brief. This Court may extend time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3).

The State herein makes its first request for an enlargement of time. The State requests ninety (90) days within which to file Respondent's Answering Brief. This is an Appeal from the Judgment of Conviction. Appellant has had substantial time to identify and brief the issues in the instant appeal. On March 8, 2022, Appellant filed his Opening Brief and Amended Opening Brief. On March 11, 2022, Appellant filed a Motion for Leave to File a Supplemental Appendix and Second Amended Brief. On March 15, 2022, this Court denied Appellant's motion stating that "Appellant has not filed a notice of appeal from the amended judgment of conviction, and the amended judgment of conviction is not before this Court."

On March 28, 2022, Appellant filed a renewed Motion stating that he filed a notice of appeal from the amended judgment of conviction. Additionally, in his other case, No. 84412, Appellant filed a motion asking how to proceed with briefing. This Court has not yet ruled on either of Appellant's motion. As such, the State is unsure

whether it should prepare a response to his current opening brief or whether this Court will allow Appellant to file an amended opening brief.

Due to the above-described circumstance, Respondent respectfully requests the Court's permission for an extension of time of ninety (90) days. A ninety (90) day extension should allow enough time for clarity on what the State needs to respond to. Additionally, even if the State responds to the currently filed brief, Appellant's opening brief contained twelve (12) issues. As such, the State also needs this time to prepare a thorough response. If granted, the new filing date for the State's Answering Brief would be on July 6, 2022. This is Respondent's first Motion for Enlargement of Time, and this motion is made in good faith and not for purposes of undue delay.

Dated this 7th day of April 2022.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ John Afshar*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on April 7, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

NANCY L. LEMCKE, ESQ.
Counsel for Appellant

JOHN AFSHAR
Deputy District Attorney

BY *E. Davis*

Employee,
Clark County District Attorney's Office

JA/Elan Eldar/ed