

● ORIGINAL ●

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \*

JAMES MONTELL CHAPPELL )

CASE NO. 43493

)  
)  
) Appellant/Cross-  
) Respondent,  
)

6 vs. )

7 THE STATE OF NEVADA, )

8 Respondent/Cross-  
9 Appellant. )

**FILED**

JAN 12 2005

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

10  
11 MOTION TO ALLOW APPELLANT TO FILE  
12 AN OPENING BRIEF IN EXCESS OF 30 PAGES

13 COMES NOW, Appellant JAMES CHAPPELL, by and through his  
14 attorney, DAVID M. SCHIECK, ESQ., and moves this Court for an  
15 Order allowing the Opening Brief to exceed 30 pages, to-wit 54  
16 pages.

17 This Motion is made and based on the Points and  
18 Authorities and Affidavit attached hereto.

19 Dated this 11 day of January, 2005.

20 RESPECTFULLY SUBMITTED:

21  
22 BY David M. Schieck

23 DAVID M. SCHIECK, ESQ.

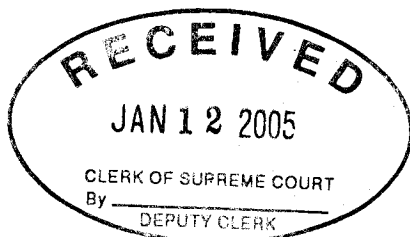
24 Nevada Bar No. 0824

25 333 S. Third St., 2nd Floor

26 Las Vegas, Nevada 89155

27 702-455-6265

28 Attorneys for Appellant



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Due to the nature of the issues involved, it is respectfully requested that the Court allow the brief to exceed the limit of NRAP 29(g) and contain 54 pages.

RESPECTFULLY SUBMITTED,

AFFIDAVIT OF COUNSEL

DAVID M. SCHIECK, first being duly sworn, deposes and  
says:

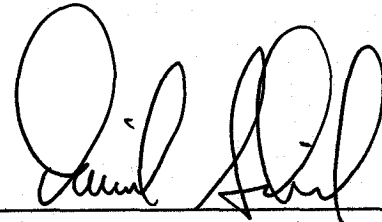
That Affiant executes this affidavit in support of a Motion to Allow Appellant to File an Opening Brief in excess of thirty pages.

1 That Affiant has handled numerous criminal appeals to this  
2 Court and strives to always meet the requirements of the Court  
3 concerning the length of briefs.

4 That Affiant has raised only those issues which he  
5 believes to have merit with as much brevity as possible and  
6 still make the necessary point.

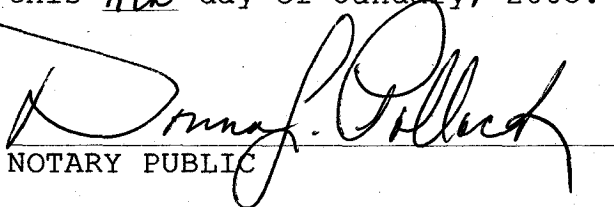
7 Wherefore, Affiant respectfully requests that this  
8 Honorable Court grant this Motion and allow Appellant to file a  
9 Brief of 54 pages.

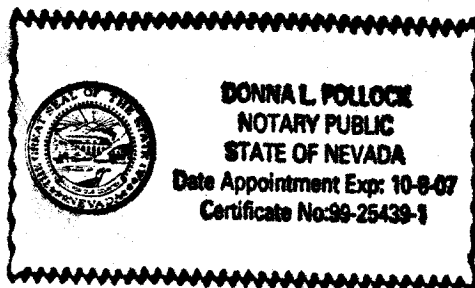
10 Further Affiant sayeth naught.

11  
12  
13 

14 DAVID M. SCHIECK

15 SUBSCRIBED and SWORN to before me  
16 this 11th day of January, 2005.

17   
18 NOTARY PUBLIC



1 RECEIPT OF A COPY of the foregoing Motion to Allow  
2 Appellant to File an Opening Brief in Excess of 30 Pages is hereby  
3 acknowledged this 11th day of January, 2005.

4 DAVID ROGER  
5 CLARK COUNTY DISTRICT ATTORNEY

6 By Adeline Mulkey  
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