

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL RIPPO,

S.C. CASE NO. 44094

Appellant,

FILED

vs.

APR 21 2005

THE STATE OF NEVADA,

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

Respondent.

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, MICHAEL RIPPO, and moves this Court for an Order granting an extension of time of five judicial (5) days from the date the Opening Brief is now due, to wit: April 25, 2005, and extend the time to and including, May 2, 2005, for the filing of the Opening Brief. This motion is made and based upon NRAP 27 and 31(a), the Affidavit of Christopher R. Oram, Esq.,

filed herewith, and the Points and Authorities attached hereto.

DATED this 20 day of April, 2005.

Respectfully submitted by:

[Signature]
CHRISTOPHER R. ORAM, ESQ.

Nevada Bar No. 004349
520 S. Fourth Street, 2nd Floor
Las Vegas, Nevada 89101
(702) 384-5563
Attorney for Appellant
MICHAEL RIPPO

RECEIVED

APR 21 2005

CLERK OF SUPREME COURT
By *[Signature]*
DEPUTY CLERK

POINTS AND AUTHORITIES

CHRISTOPHER R. ORAM
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101

15-07825

1
2
3 Time for Serving and Filing Briefs.

4 The appellant shall serve and file the OPENING brief
5 within one hundred and twenty (120) days after the date on
6 which the appeal is docketed in the Supreme Court. The
7 respondent shall serve and file his answering brief within
8 thirty (30) days after service of the brief of the appellant.
9 After service of respondent's brief, any OPENING brief
10 must be served and filed within thirty (30) days. . . . By
11 written stipulation timely filed with the Supreme Court,
12 the parties may extend the time for filing any brief for a
13 total of thirty (30) additional days unless the court
14 otherwise orders. Applications for extensions of time
15 beyond that to which the parties are permitted to stipulate
16 are not favored, and will be considered only on motion for
17 good cause clearly shown, or ex parte in cases of extreme
18 and unforeseeable emergency. The Supreme Court may
19 shorten the periods prescribed above for serving and filing
20 briefs, either by rule for all cases or for classes of cases, or
21 by order for specific cases."

22 That Appellant's Opening Brief in this matter is currently due on April 25, 2005.

23 This is the third request for extension of time. The undersigned does not lightly
24 request this extension of time. This Court had previously granted Mr. Rippon's second
25 extension of time and had warned counsel of repeated requests for extensions of time.
26 However, the undersigned's secretary had an unforeseen family emergency and therefore
27 the undersigned requests this extension of time.

28 The undersigned's secretary had to travel home to South Dakota as her
grandmother is dying and she needed to be home with her family. The undersigned
apologizes for any inconvenience. However, this circumstance was unforeseen.

The undersigned requests only one additional week for the preparation of the
opening brief and appendix. Again, the undersigned does not take this Court's orders

1
2 lightly and only requests this extension due to unforeseen circumstances. The
3 undersigned apologizes for any inconveniences this may cause.
4

5 Therefore, the undersigned would respectfully request that this Honorable Court
6 grant an extension of five judicial days (5) days within which to file Appellant's Opening
7 Brief.
8

9 DATED this 20 day of April, 2005.

10 Respectfully submitted by:

11 

12 CHRISTOPHER R. ORAM, ESQ.
13 Nevada Bar #004349
14 520 S. Fourth Street, 2nd Floor
15 Las Vegas, Nevada, 89101

16 Attorney for Defendant
17 MICHAEL RIPPO
18
19
20
21
22
23
24
25
26
27
28

CHRISTOPHER R. ORAM
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101

1
2 **AFFIDAVIT OF CHRISTOPHER R. ORAM**
3 **IN SUPPORT OF MOTION FOR EXTENSION OF TIME**
4 **TO FILE OPENING BRIEF**

5 STATE OF NEVADA)
6) ss:
7 COUNTY OF CLARK)

8 CHRISTOPHER R. ORAM, ESQ., being first duly sworn, deposes and states:

9 1. I am an attorney duly licensed to practice law in the State of Nevada. I am
10 counsel for the Appellant in the above-entitled matter. I have personal knowledge of all
11 matters contained herein and am competent to testify thereto.

12 2. That Appellant's Opening Brief in this matter is currently due on April 25,
13 2005.

14 3. This is the third request for extension of time. The undersigned does not
15 lightly request this extension of time. This Court had previously granted Mr. Rippo's
16 second extension of time and had warned counsel of repeated requests for extensions of
17 time. However, the undersigned's secretary had an unforeseen family emergency and
18 therefore the undersigned requests this extension of time. The undersigned requests only
19 one additional week for the preparation of the opening brief and appendix. Again, the
20 undersigned does not take this Court's orders lightly and only requests this extension due
21 to unforeseen circumstances. The undersigned apologizes for any inconveniences this
22 may cause.

23 4. Therefore, the undersigned would respectfully request that this Honorable
24 Court grant an extension of five judicial days (5) days within which to file Appellant's
25 Opening Brief.
26
27
28

CHRISTOPHER R. ORAM
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101

1
2 5. That this motion is made in good faith and not for purposes of delay.

3 FURTHER YOUR AFFIANT SAYETH NAUGHT.

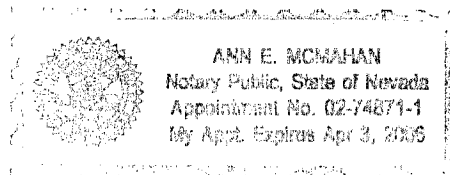
4 DATED this 20 day of April, 2005.

5
6 
CHRISTOPHER R. ORAM, ESQ.

7 SWORN and SUBSCRIBED before me
8 this 20 day of April, 2005.

9 

10 NOTARY PUBLIC in and for said
11 County and State



CHRISTOPHER R. ORAM
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101

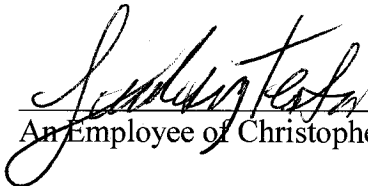
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

I hereby certify that I am an employee of CHRISTOPHER R. ORAM, ESQ., and that on the 20 day of April, 2005, I did deposit in the United States Postal Service office at Las Vegas, Nevada, in a sealed envelope with postage fully pre-paid thereon, a true and correct copy of the above and foregoing **MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF**, addressed to:

David Roger
District Attorney
200 S. Third Street, 7th Floor
Las Vegas, Nevada 89155

Brian Sandoval
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717


An Employee of Christopher R. Oram, Esq.

CHRISTOPHER R. ORAM
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101