

IN THE SUPREME COURT OF THE STATE OF NEVADA

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MICHAEL RIPPO,

S.C. CASE NO. 44094

Appellant,

**FILED**

vs.

FEB 09 2005

THE STATE OF NEVADA,

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK


Respondent.

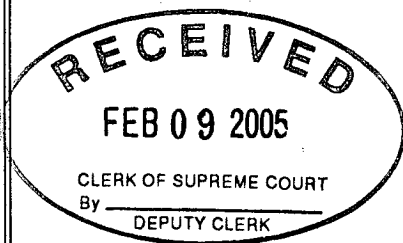
MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, MICHAEL RIPPO, and moves this Court for an Order granting an extension of time of thirty (30) days from the date the Opening Brief is now due, to wit: February 9, 2005, and extend the time to and including, March 11, 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 8 day of February, 2005.

Respectfully submitted by:

  
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



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

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**POINTS AND AUTHORITIES**

Time for Serving and Filing Briefs.

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

That Appellant's Opening Brief in this matter is currently due on February 9, 2005.

The undersigned has been preparing for State of Nevada v. Rene Gato, C191012. Mr. Gato's trial commenced on January 31, 2005 and is scheduled to conclude on February 11, 2005. Mr. Gato faces several serious charges which include, murder, robbery and kidnapping. This is the first request for continuance regarding Mr. Rippo's opening brief.

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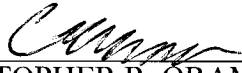
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2 Therefore, the undersigned would respectfully request that this Honorable Court  
3 grant an extension of thirty (30) days within which to file Appellant's Opening Brief.

4 DATED this 8 day of February, 2005.

5 Respectfully submitted by:

6   
CHRISTOPHER R. ORAM, ESQ.  
7 Nevada Bar #004349  
8 520 S. Fourth Street, 2nd Floor  
Las Vegas, Nevada, 89101

9 Attorney for Defendant  
10 MICHAEL RIPPO

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

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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 February  
13 9, 2005.

14 3. The undersigned has been preparing for State of Nevada v. Rene Gato,  
15 C191012. Mr. Gato's trial commenced on January 31, 2005 and is scheduled to  
16 conclude on February 11, 2005. Mr. Gato faces several serious charges which include,  
17 murder, robbery and kidnapping.

18 4. This is the first request for continuance regarding Mr. Rippo's opening  
19 brief.

20 5. Therefore, the undersigned would respectfully request that this Honorable  
21 Court grant an extension of thirty (30) days within which to file Appellant's Opening  
22 Brief.

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

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

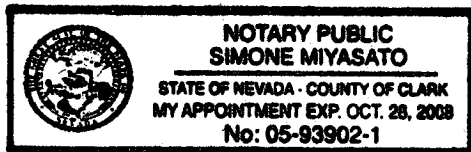
3 FURTHER YOUR AFFIANT SAYETH NAUGHT.

4 DATED this 8 day of February, 2005.

5 *C. Oram*  
6 CHRISTOPHER R. ORAM, ESQ.

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

9 *Simone Miyasato*  
10 NOTARY PUBLIC in and for said  
11 County and State



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

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**CERTIFICATE OF MAILING**

I hereby certify that I am an employee of CHRISTOPHER R. ORAM, ESQ., and that on the 6 day of February, 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