

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

ZANE FLOYD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Case No. 44868

FILED

DEC 19 2005

DAVID M. SCHIECK
CLERK OF SUPREME COURT
DEPUTY CLERK

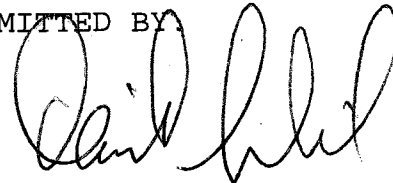
MOTION FOR EXTENSION OF TIME TO
FILE APPELLANT'S REPLY BRIEF

COMES NOW, Appellant, ZANE FLOYD, by and through his attorney,
DAVID M. SCHIECK, ESQ., and moves this Court for an Order granting an
extension of 1 week, up to and including December 21, 2005, to file
Appellant's Reply Brief.

This Motion is made and based upon NRAP 26(b), the Affidavit
filed herewith, and the Points and Authorities attached hereto.

DATED this 14 day of December, 2005.

SUBMITTED BY:



DAVID M. SCHIECK, ESQ.
330 S. Third St., Ste. 800
Las Vegas, Nevada 89155
Attorney for Appellant

STATEMENT OF FACTS

Appellant ZANE FLOYD was granted an extension by stipulation and
the Reply Brief is due December 14, 2005. Based on the reasons set
forth in the Affidavit of Counsel attached hereto, Appellant requests
and extension of 1 week to file the Reply Brief.

RECEIVED

DEC 19 2005

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DEPUTY CLERK

1 POINTS AND AUTHORITIES

2 NRAP 26(b) states as follows:

3 "(b) *Enlargement of time.* The court for good cause
4 shown may upon motion enlarge the time prescribed by these
5 rules or by its order for doing any act, or may permit an
6 act to be done after the expiration of such time...."

7 CONCLUSION

8 An extension of time of 1 week is requested to file Appellant's
9 Reply Brief, up to and including December 21, 2005.

10 DATED this 14 day of December, 2005.

11 Respectfully submitted,

12 CLARK COUNTY SPECIAL PUBLIC DEFENDER

13 By: 

14 DAVID M. SCHIECK, ESQ.
330 S. Third Street, Ste. 800
Las Vegas, Nevada 89155
Attorney for Appellant

15 AFFIDAVIT OF COUNSEL

16 STATE OF NEVADA)
17) ss:
COUNTY OF CLARK)

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

19 That Affiant is an attorney duly licensed to practice law in the
20 State of Nevada, and attorney for Appellant Zane Floyd.

21 That Floyd's Reply Brief is due December 14, 2005.

22 That Affiant has been preparing for an evidentiary hearing which
23 was expected to last all day December 15, 2005 in Mortensen v. State.
24 The hearing was continued until January and therefore Affiant needs
25 a week to complete Floyd's Reply Brief.

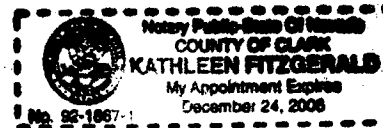
26 That Affiant 1 week, up to and including December 21, 2005, to
27
28

1 file Floyd's Reply Brief. That Affiant makes this request in good
2 faith and not for purposes of delay.

3 Further Affiant sayeth naught.

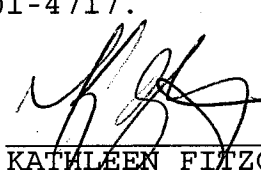
4
5 
6 DAVID M. SCHIECK

7 SUBSCRIBED AND SWORN to before me
8 this 14 day of December, 2005.



11 CERTIFICATE OF MAILING

12 I, KATHLEEN FITZGERALD, do hereby certify that on the 14 day
13 of December, 2005, I did deposit in the United States Post Office at
14 Las Vegas, Nevada, a copy of the above and foregoing Motion, enclosed
15 in a sealed envelope upon which first class postage was fully prepaid,
16 addressed to the following: Clark County District Attorney, 200 Lewis
17 Ave., 3rd Floor, Las Vegas NV 89155; and Nevada Attorney General, 100
18 N. Carson St., Carson City NV 89701-4717.

19 
20 KATHLEEN FITZGERALD
21 an employee of The Special Public
22 Defender's Office
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