

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

FILED

JUN 01 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY S. Yang
DEPUTY CLERK

MARLO THOMAS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Case No. 46509

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

COMES NOW, Appellant MARLO THOMAS, by and through his attorney,
DAVID M. SCHIECK, Special Public Defender, and moves this Court for
an Order allowing the Opening Brief to exceed 30 pages, to-wit 51
pages.

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

Dated this 29 day of May, 2006.

RESPECTFULLY SUBMITTED:

BY [Signature]
DAVID M. SCHIECK, ESQ.
Nevada Bar No. 0824
SPECIAL PUBLIC DEFENDER
330 S. Third St., Ste. 800
Las Vegas, NV 89155
(702) 455-6265
Attorneys for Appellant

POINTS AND AUTHORITIES

MARLO THOMAS has submitted herewith his Opening Brief of 51 pages.
NRAP 29(g) provides that except by permission of the Court, briefs
shall not exceed 30 pages, exclusive of pages containing the table of
contents, table of citations and any addendums.

JUN 01 2006

CLERK OF SUPREME COURT
By [Signature]
DEPUTY CLERK

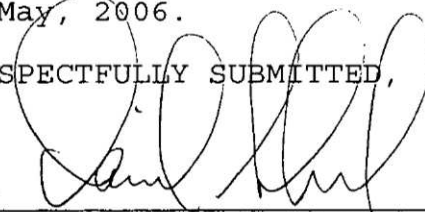
IT IS ORDERED THE BRIEF MAY BE FILED
IN EXCESS OF 30 PAGES. TO-WIT
49 PAGES

[Signature], Clerk of Court
cc: Counsel of Record

06-11541

1 Due to the nature of the issues involved, it is respectfully
2 requested that the Court allow the brief to exceed the limit of NRAP
3 29(g) and contain 51 pages.

4 Dated this 29 day of May, 2006.

5 RESPECTFULLY SUBMITTED,
6 

7 BY
8 DAVID M. SCHIECK, ESQ.
9 SPECIAL PUBLIC DEFENDER
10 Nevada Bar No. 0824
11 330 S. Third St., Ste. 800
12 Las Vegas NV 89155
13 (702) 455-6265
14 Attorneys for Appellant

15 AFFIDAVIT OF COUNSEL

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

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

20 That Affiant is an attorney duly licensed to practice law in the
21 State of Nevada and counsel for MARLO THOMAS.

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

24 That Affiant has handled numerous criminal appeals to this Court
25 and strives to always meet the requirements of the Court concerning
26 the length of briefs.

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

Wherefore, Affiant respectfully requests that this Honorable

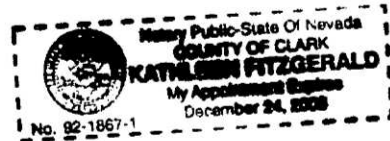
1 Court grant this Motion and allow Appellant to file a Brief of 51
2 pages.

3 Further Affiant sayeth naught.

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DAVID M. SCHIECK

SUBSCRIBED and SWORN to before me
this 29 day of May, 2006.



NOTARY PUBLIC

CERTIFICATE OF MAILING

I, KATHLEEN FITZGERALD, do hereby certify that on the 30 day of
May, 2006, a copy of the foregoing Motion was deposited in the United
States Mail at Las Vegas, Nevada, enclosed in a sealed envelope upon
which first class postage was fully prepaid, addressed to District
Attorney, 200 Lewis Ave., 3rd Floor, Las Vegas NV 89155 and Nevada
Attorney General, 100 N. Carson St., Carson City, NV 89710.

An employee of The Special
Public Defender's Office