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FILED

APR 03 2009

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TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIRSTIN BLAISE LOBATO

Docket No. 49087

Appellant,

v.

STATE OF NEVADA,

Respondent.

MOTION TO STAY REMITTITUR

Comes now Appellant Kirstin Blaise Lobato, by and through her counsel JoNell Thomas, and respectfully requests this Court stay issuance of the Remittitur as a Petition for En Banc Reconsideration of the panel decision entered on March 27, 2009, is simultaneously being sent for filing with the instant Motion.

The Order Denying Rehearing was filed March 27, 2009 and pursuant to NRAP 40A, the petition for en banc reconsideration is due 10 days from said date, up to and including April 6, 2009.

NRAP 41(a) states the Remittitur will issue twenty-five (25) days after entry of the order denying the petition unless the time is enlarged by order. Counsel requests that the time to issue the Remittitur be enlarged and respectfully requests this Court enter an Order to Stay Issuance of the Remittitur pending decision of the Petition for En Banc Reconsideration filed by Appellant.

Dated this 31st day of March, 2009.

By: *[Signature]*
JONELL THOMAS

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CERTIFICATE OF MAILING

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I hereby certify that on the 31 day of March, 2009, I duly deposited in the United States Post Office, Las Vegas Nevada, a true and correct copy of the above and foregoing **MOTION TO STAY REMITTITUR** addressed to the following:

David Roger
Clark County District Attorney
200 Lewis
Las Vegas, NV 89155



Kathleen Fitzgerald
An employee of the Clark County Special Public Defender