

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

JAMES MONTELL CHAPPELL,

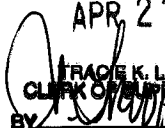
Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Case No. 49478

APR 21 2008
TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

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

COMES NOW, Appellant, JAMES CHAPPELL, by and through his attorneys, DAVID M. SCHIECK, SPECIAL PUBLIC DEFENDER, and JONELL THOMAS, DEPUTY SPECIAL PUBLIC DEFENDER, and moves this Court for an Order granting an extension of time of thirty (30) days to file Appellant's Opening Brief up to and including May 17, 2008.


This Motion is made and based upon Nevada Supreme Court Rule 250(6)(e), the Affidavit filed herewith, and the Points and Authorities attached hereto.

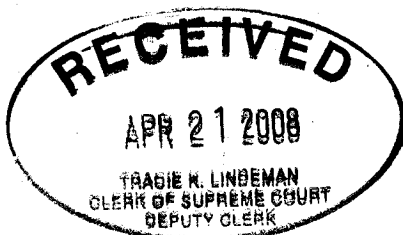
DATED this 17th day of April, 2008.

SUBMITTED BY:

DAVID M. SCHIECK

SPECIAL PUBLIC DEFENDER


JONELL THOMAS
Nevada Bar No. 4771
330 S. Third St., Ste. 800
Las Vegas, Nevada 89155
702-455-6265
Attorney for Appellant



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AFFIDAVIT OF COUNSEL

STATE OF NEVADA)
COUNTY OF CLARK) ss:

JONELL THOMAS, being first duly sworn, deposes and says:

That Affiant is an attorney duly licensed to practice law in the State of Nevada, and the Deputy Special Public Defender appointed to represent Appellant CHAPPELL.

That CHAPPELL'S Opening Brief is due on April 17, 2008.

That Affiant's review of the Record on Appeal in the instant case was more time extensive than originally thought. In addition, Affiant had to argue Jones v. State and the preparation time for the oral argument, again, was more time extensive than originally planned. That on the last 3 trials of the office, since the beginning of March, Affiant researched legal issues and prepared jury instructions. That Affiant was also away from the office for 5 days for a pre-planned family vacation.

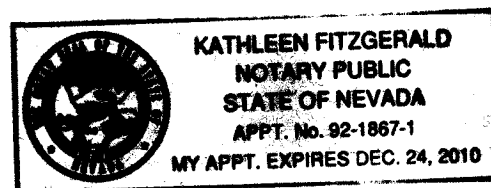
Therefore, Affiant requests an extension of 30 days, up to and including May 17, 2008 to file the Opening Brief. That Affiant makes this request in good faith and not for purposes of delay.

Further Affiant sayeth naught.

JONELL THOMAS


SUBSCRIBED AND SWORN to before me
this 17, day of April, 2008 by JoNell Thomas.

NOTARY PUBLIC



CERTIFICATE OF MAILING

I, KATHLEEN FITZGERALD, do hereby certify that on the 17 day of April, 2008, I did deposit in the United States Post Office at Las Vegas, Nevada, a copy of the above and foregoing Motion, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to the following: Clark County District Attorney, 200 Lewis Ave., 3rd Floor, Las Vegas NV 89155; and Nevada Attorney General, 100 N. Carson St., Carson City NV 89701-4717.


KATHLEEN FITZGERALD
an employee of the Special Public
Defender's Office