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- 1	IN THE SUPREME COUL	RT OF THE STATE OF NEVADA
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3	JAMES MONTELL CHAPPELL,	FILED
4	Appellant,	APR, 2 1 2008
5	vs.	CLIPK OF ALLINDEMAN
6	THE STATE OF NEVADA,	BY DEPUTY CLERK
7	Respondent.	Case No. 49478
8 9		XTENSION OF TIME TO <u>NT'S OPENING BRIEF</u>
10	COMES NOW, Appellant, JAMES	CHAPPELL, by and through his attorneys, DAVID
11	M. SCHIECK, SPECIAL PUBLIC DEFEN	DER, and JONELL THOMAS, DEPUTY SPECIAL
12	PUBLIC DEFENDER, and moves this Cou	rt for an Order granting an extension of time of thirty
13	(30) days to file Appellant's Opening Brief	f up to and including May 17, 2008.
14	This Motion is made and based u	upon Nevada Supreme Court Rule 250(6)(e), the
15	Affidavit filed herewith, and the Points and Authorities attached hereto.	
16	DATED this 17th day of April, 200)8.
17		SUBMITTED BY:
18		DAVID M. SCHIECK
19		SPECIAL PUBLIC DEFENDER
20		Som the
21		JONBLL THOMAS Nevada Bar No. 4771
22		330 S. Third St., Ste. 800 Las Vegas, Nevada 89155 702-455-6265
23		Attorney for Appellant 🚬 🔤
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SPECIAL PUBLIC DEFENDER	APR 21 2008 TRADIE N. LINDEMAN OLEHIK OF SUPPLEME COURT DEPUTY OLEHK	5
CLARK COUNTY NEVADA		18.19920

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1	STATEMENT OF FACTS	
2	Pursuant to the Court's Order filed on January 17, 2008, Appellant's Motion for an	
3	Extension of Time was granted and the Opening Brief is due April 17, 2008.	
4	POINTS AND AUTHORITIES	
, 5	SCR 250(6(e) states as follows:	
6 7	"(e) The supreme court may grant an initial extension of time of up to 60 days to file a brief upon a showing of good cause, but shall not grant additional extensions of time except upon a showing of extraordinary circumstances and extreme need."	
8	CONCLUSION	
9	That based on the reasons set forth in the Affidavit of Counsel attached hereto, an	
10	extension of an additional 30 days is requested to file the Opening Brief, up to and including	
11	May 17, 2008.	
12	DATED this 17th day of April, 2008.	
13	SUBMITTED BY:	
14	DAVID M. SCHIECK	
15	SPECIAL PUBLIC DEFENDER	
16	A	
17	JONBLE THOMAS	
18	Nevada Bar No. 477 330 S. Third St., Ste(800) Las Vegas, Nevada 89155 702-455-6265	
19	Lás Vegas, Nevada 89185 702-455-6265	
20	Attorney for Appellant	
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SPECIAL PUBLIC DEFENDER	·	
CLARK COUNTY NEVADA	2	

AFFIDAVIT OF COUNSEL

STATE OF NEVADA) ss: COUNTY OF CLARK)

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.

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

8 That Affiant's review of the Record on Appeal n the instant case was more time extensive 9 than originally thought. In addition, Affiant had to argue Jones v. State and the preparation time 10 for the oral argument, again, was more time extensive than originally planned. That on the last 11 3 trials of the office, since the beginning of March, Affiant researched legal issues and prepared 12 jury instructions. That Affiant was also away from the office for 5 days for a pre-planned family 13 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.

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JONELL THOMAS

SUBSCRIBED AND SWORN to before me

YPUBLIC

Further Affiant sayeth naught.

this 1/1 day of April, 2008 by JoNell Thomas.

KATHLEEN FITZGERALD NOTARY PUBLIC STATE OF NEVADA APPT. No. 92-1867-1 MY APPT. EXPIRES DEC. 24, 2010

SPECIAL PUBLIC DEFENDER

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1	CERTIFICATE OF MAILING	
2	I, KATHLEEN FITZGERALD, do hereby certify that on the 17 day of April, 2008, I did	
3	deposit in the United States Post Office at Las Vegas, Nevada, a copy of the above and foregoing	
4	Motion, enclosed in a sealed envelope upon which first class postage was fully prepaid,	
5	addressed to the following: Clark County District Attorney, 200 Lewis Ave., 3rd Floor, Las	
6	Vegas NV 89155; and Nevada Attorney General, 100 N. Carson St., Carson City NV 89701-	
7	4717.	
8	Ant A	
9	KATHLEENHTZGERALD	
10	an employee/of the Special Public Defender's Office	
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SPECIAL PUBLIC DEFENDER		
CLARK COUNTY NEVADA	4	