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IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 3 4 5 JAMES CHAPPELL, 6 Appellant, 7 Case No. 49478 ٧. FILED 8 THE STATE OF NEVADA, 9 Respondent. AUG 1 2 2008 10 TRACIE K. LINDEMAN CLERK OF SUPREME COURT MOTION FOR LEAVE TO FILE 11 45 PAGE ANSWERING BRIEF 12 13 DAVID M. SCHIECK DAVID ROGER Clark County District Attorney Nevada Bar #002781 Clark County Courthouse Clark County Special Public Defender Nevada Bar #000824 14 330 South Third Street, 8th Floor Las Vegas, Nevada 89155-2316 (702) 455-6265 15 200 South Third Street, Suite 701 Post Office Box 552212 16 Las Vegas, Nevada 89155-2212 (702) 455-4711 17 State of Nevada 18 **CATHERINE CORTEZ MASTO** Nevada Attorney General 19 Nevada Bar No. 003926 100 North Carson Street 20 Carson City, Nevada 89701-4717 21 (775) 684-1265 22 23 24 25 26 27 Counsel for Respondent 28

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1	IN THE SUPREME COURT OF THE STATE OF NEVADA
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5	JAMES CHAPPELL,
6	Appellant, {
7	v. { Case No. 49478
8	THE STATE OF NEVADA, {
9	Respondent.
10	
11	MOTION FOR LEAVE TO FILE 45 PAGE ANSWERING BRIEF
12	45 TAGE ANSWERING BRIEF
13	COMES NOW the State of Nevada, by DAVID ROGER, Clark County District
14	Attorney, through his Chief Deputy, STEVEN S. OWENS, pursuant to NRAP 28(g)
15	and the attached Declaration of Counsel, respectfully moves for leave to file a 45 page
16	Answering Brief.
17	Dated this 8 th day of August, 2008.
18	Respectfully submitted,
19	DAVID ROGER Clark County District Attorney
20	Clark County District Attorney Nevada Bar # 002781
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23	BY VIVIVION STEVENS. OWENS
24	Nevada Bar No. 004352 Chief Deputy District Attorney
25	Attorney for Respondent
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(NRS 53.045)

I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

In order to fully develop the facts and answer the issues raised by Defendant in his 80 page Opening Brief, it has been necessary to prepare a 45 page Answering Brief. This Court authorized Appellant's over-sized Opening Brief which necessitated the State's Answering Brief to exceed the page limit as well.

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed August 8, 2008.

BY

Nevada Bar No. 004352

Chief Deputy District Attorney

CERTIFICATE OF MAILING

I hereby certify and affirm that I mailed a copy of the foregoing Motion for Leave to File 45 Page Answering Brief to the attorney of record listed below on August 8, 2008.

David M. Schieck Clark County Special Public Defender 330 South Third Street, 8th Floor Las Vegas, Nevada 89155-2316

Employee Clark County District Attorney's Office

OWENS / english