

ORIGINAL

**IN THE SUPREME COURT
FOR THE STATE OF NEVADA**

LATISHA BABB,

Appellant,

vs.

JENNIFER LOZOWSKY, ET AL,

Respondents.

Sup. Ct. Case No.: 49929

District Ct. Case No.:
CR98P0074B

FILED

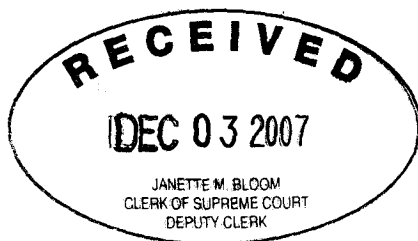
DEC 04 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

On Appeal from the Second Judicial District Court, Washoe County,
The Honorable Connie Steinheimer, Department IV

**APPELLANT'S UNOPPOSED MOTION
TO EXTEND DEADLINE TO FILE APPELLANT'S OPENING
BRIEF—ONE DAY**

Lisa A. Rasmussen, Esq.
Nevada Bar No. 7491
Watt, Tieder, Hoffar & Fitzgerald, LLP
3993 Howard Hughes Parkway, Ste. 400
Las Vegas, Nevada 89169
(702) 789-3100 Telephone
(702) 822-2650 Facsimile
Attorneys for Appellant



07-26158

COMES NOW the Petitioner, LATISHA BABB, by and through her counsel, LISA A. RASMUSSEN, and hereby moves this Court for an order extending the deadline to file Appellant's Opening Brief one day, from November 29, 2007 to November 30, 2007.

This Motion is made and based upon the following Memorandum of Points and Authorities, the attached Affidavit of Lisa A. Rasmussen and the attached stipulation executed between the undersigned and the Respondent.

MEMORANDUM OF POINTS AND AUTHORITIES

1. The undersigned was appointed to represent Latisha Babb in these proceedings.
2. Ms. Babb is serving two, life without parole sentences and this is an appeal from post-convictions proceedings.
3. Ms. Babb's Opening Brief is due on today's date, November 29, 2007.
4. The undersigned has requested one additional day to file the Opening Brief because compiling the Appendix required extensive effort on the part of my office as the record below consists of over 2700 pages of documents which must be filed concurrent with the Opening Brief in order to establish the record below for these proceedings as well as Ms. Babb's federal habeas petition, which is stayed pending these proceedings.
5. The undersigned received the Appendix in its bound and bates stamped

format back from the outside copy vendor this morning and need additional time to make proper citations to the record, which is extensive.

6. Additionally, the undersigned's law firm engages in monthly service of our network system, which requires no one access the network or the computer system from 6 p.m on the day of the service to 6:00 a.m. the following morning. That service took place on November 28, 2007 through today's date, November 29, 2007. As a result, the undersigned was unable to work on the brief during that time.


7. Respondent's counsel is not opposed to this request for additional time, an extension of one day.

8. Respondent's counsel executed a stipulation, but because he is located in Washoe County and the undersigned is located in Clark County, it is not possible to obtain an original signature from him on today's date. As a result, the undersigned files this unopposed motion.

9. This request is made in good faith and not for the purpose of delay. The undersigned has not made any previous requests for an extension of time.

Dated this 29th day of November, 2007.

Watt, Tieder, Hoffar & Fitzgerald, LLP


LISA A. RASMUSSEN, ESQ.
3993 Howard Hughes Parkway, #400
Las Vegas, NV 89169
(702) 789-3100
Attorneys for Latisha Babb

AFFIDAVIT OF LISA A. RASMUSSEN, ESQ.

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

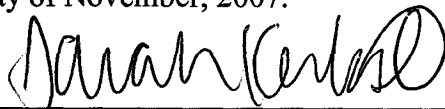
I, LISA A. RASMUSSEN, ESQ., having been duly sworn, hereby state as follows:

1. I am an attorney duly licensed to practice law in all courts in the State of Nevada and I was appointed to represent Latisha Babb, the petitioner in the matter herein.
2. This is a post-conviction action and Ms. Babb's Opening Brief is due on today's date.
3. I am unable to complete the Opening Brief on today's date because the Appendix required extensive efforts on the part of my office and we did not receive it from the outside vendor, in its final format, until this morning. The Appendix consists of over 2700 pages of documents.
4. Additional time is required for me to properly cite to the Appendix.
5. My law firm engages in service of our network on a monthly basis and it requires that we refrain from using the system for approximately 12 hours once a month. This month, our service began at 6:00 p.m. yesterday and concluded today. This prevented me from using the computer system to work on the brief.
6. I am requesting one additional day to complete the Opening Brief.
7. Respondent's counsel does not oppose this request and has stipulated to the same but I am not able to submit an original signature because he is located in Washoe County. As a result, I file this unopposed motion, documenting his agreement to the same.
8. This motion is not made for the purpose of delay and this is the first request made by the undersigned to continue the deadline to file the Opening Brief in this case.
9. Prejudice will result if this Motion is not granted.

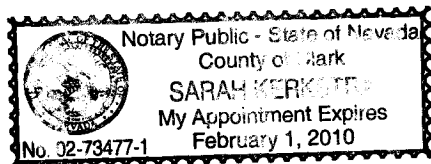
Dated this 29th day of November, 2007.


LISA A. RASMUSSEN

SUBSCRIBED and SWORN TO BEFORE ME
this 29th day of November, 2007.



Notary Public in and for Said County and State



**IN THE SUPREME COURT
FOR THE STATE OF NEVADA**

LATISHA BABB,

Appellant,

vs.

JENNIFER LOZOWSKY, ET AL,

Respondents.

Sup. Ct. Case No.: 49929

District Ct. Case No.:
CR98P0074B

On Appeal from the Second Judicial District Court, Washoe County,
The Honorable Connie Steinheimer, Department IV

**STIPULATION TO EXTEND DEADLINE TO
FILE APPELLANT'S OPENING BRIEF—ONE DAY**

COME NOW the parties, LATISHA BABB, by and through her
counsel, LISA A. RASMUSSEN, ESQ., and the Respondents, by and
through their counsel, TERRANCE MCCARTHY, and hereby stipulate as
follows:

1. That the Petitioner's Appellant's Opening Brief is due on
today's date, November 29, 2007.
2. That Petitioner's counsel, Lisa A. Rasmussen, has requested

one additional day to file Appellant's Opening Brief, such that it would be filed on November 30, 2007.

3. That the Respondent has no opposition to this request and thereby stipulates and agrees to the same.

IT IS SO STIPULATED.

DATED: 11/29/07

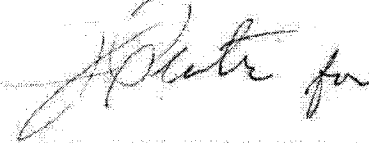
WATT, TIEDER, HOFFAR & FITZGERALD,



BY: LISA A. RASMUSSEN, ESQ.
3993 Howard Hughes Parkway, #400
Las Vegas, NV 89169

DATED: 11/29/07

THE STATE OF NEVADA



BY: TERRANCE MCCARTHY
Chief Deputy District Attorney
Washoe County District Attorney
P.O. Box 30083
Reno, Nevada 89520

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Watt, Tieder, Hoffar & Fitzgerald, LLP, that I am a person competent to serve papers and not a party to the above-entitled action and that on the 29th day of November, 2007, I served a copy of the foregoing:

**APPELLANT'S UNOPPOSED MOTION
TO EXTEND DEADLINE TO FILE APPELLANT'S OPENING
BRIEF—ONE DAY**

upon the following via U.S. Mail

Richard A. Gammick, Esq.
Terrence P. McCarthy, Esq.
Washoe County District Attorney's Office
P.O. Box 30083
Reno, Nevada 89520



An Employee of Watt, Tieder, Hoffar & Fitzgerald, LLP