

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM LESTER WITTER,

No. 50447

Appellant,

vs.

E.K. McDANIEL, Warden, Ely State
Prison, CATHERINE CORTEZ MASTO,
Attorney General of the State of Nevada,

Respondents.

FILED

FEB 28 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

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

Appellant William Lester Witter, through counsel, requests an extension of sixty days, to and including April 29, 2008, within which to file his opening brief in this matter, which is currently due to be filed on February 29, 2008. Nev. R. App. P. 27(b); 31(3); Nev. Sup. Ct. Rule 250(7)(d). This request is based on the attached declaration of counsel.

Dated this 26th day of February, 2008.

Respectfully submitted,
FRANNY A. FORSMAN
Federal Public Defender

Gary Taylor
Assistant Federal Public Defender
Texas Bar No. 19691650
411 E. Bonneville Ave., #250
Las Vegas, Nevada 89101

Gerald Bierbaum
Assistant Federal Public Defender
Texas Bar No. 24025252
411 E. Bonneville Ave., #250
Las Vegas, Nevada 89101

Attorneys for Petitioner/Appellant

RECEIVED

FEB 28 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

08-04930

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

18
19
20
21
22
23
24
25
26
27
28

24
25
26
27
28

28

6. I would be competent to testify to the matters stated in this declaration if called upon to do so.

7. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and that this declaration was executed in Las Vegas, Nevada on the 26th day of February, 2008.

GERALD BIERBAUM
Assistant Federal Public Defender
Texas Bar No. 24025252
411 E. Bonneville Ave., #250
Las Vegas, Nevada 89101

Attorneys for Appellant

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

■ by mailing it by first class mail with sufficient postage prepaid to the following address(es):

Catherine Cortez Masto
Attorney General
Erik A. Levin
Deputy Attorney General
Attorney General's Office
100 North Carson Street
Carson City, Nevada 89701-4717

H. Lang

4