

● ORIGINAL ●

IN THE SUPREME COURT OF THE STATE OF NEVADA

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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**

SEP 15 2008

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

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

Appellant William Lester Witter, through counsel, requests an extension of sixty days, to and including November 19, 2008 within which to file his reply brief in this matter, which is currently due to be filed on September 22, 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 12<sup>th</sup> day of September, 2008.

Respectfully submitted,  
FRANNY A. FORSMAN  
Federal Public Defender

Gary A. Taylor  
Assistant Federal Public Defender  
Nevada Bar No. 11031C  
411 E. Bonneville Ave., #250  
Las Vegas, Nevada 89101

Gerald J. Bierbaum  
Assistant Federal Public Defender  
Nevada Bar No. 11024C  
411 E. Bonneville Ave., #250  
Las Vegas, Nevada 89101

Attorneys for Petitioner/Appellant

**RECEIVED**

SEP 15 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

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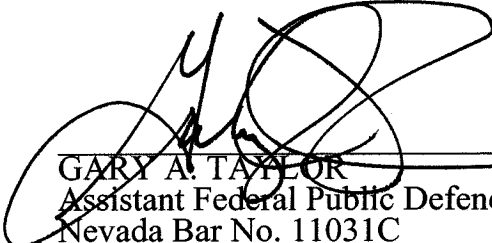
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1           6       This request is made solely in order to allow this office to provide Mr. Witter with  
2 competent representation under Nev. Sup. Ct. Rule 151, see Local Rule IA 10-7(a), and not  
3 merely for the purpose of delay or for any other improper purpose.

4           7.       We would be competent to testify to the matters stated in this declaration if called  
5 upon to do so.

6           8.       We declare under the penalty of perjury that the foregoing is true and correct to  
7 the best of our knowledge and that this declaration was executed in Las Vegas, Nevada on the  
8 12<sup>th</sup> day of September, 2008.

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11 GARY A. TAYLOR  
12 Assistant Federal Public Defender  
13 Nevada Bar No. 11031C  
14 411 E. Bonneville Ave., #250  
15 Las Vegas, Nevada 89101

16   
17 GERALD J. BIERBAUM  
18 Assistant Federal Public Defender  
19 Nevada Bar No. 11024C  
20 411 E. Bonneville Ave., #250  
21 Las Vegas, Nevada 89101

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Attorneys for Appellant

1 **CERTIFICATE OF SERVICE**

2 I certify that on the 12<sup>th</sup> day of September, 2008, I served a copy of the MOTION FOR  
3 EXTENSION OF TIME WITHIN WHICH TO FILE APPELLANT'S REPLY BRIEF  
4 completed docketing statement upon all counsel of record:

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

7 David Roger  
8 Clark County District Attorney  
9 Steven S. Owens  
10 Chief Deputy District Attorney  
11 Office of the District Attorney  
12 Regional Justice Center, Third Floor  
13 200 Lewis Avenue  
14 Las Vegas, Nevada 89155

12 Catherine Cortez Masto  
13 Attorney General  
14 John M. Warwick, IV  
15 Deputy Attorney General  
16 Attorney General's Office  
17 100 North Carson Street  
18 Carson City, Nevada 89701-4717

16 Dated this 12<sup>th</sup> day of September, 2008.

17   
18 An employee of the Federal Public Defender  
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