

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

NOV 21 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
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 ten (10) days within which to file his reply brief in this matter, which is currently due to be filed on November 19, 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.

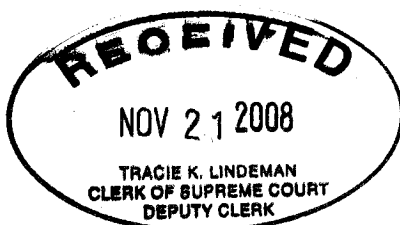
Dated this 19th day of November, 2008.

Respectfully submitted
FRANNY A. FORSMAN
Federal Public Defender

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

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Gerald J. Bierbaum
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Attorneys for Petitioner/Appellant



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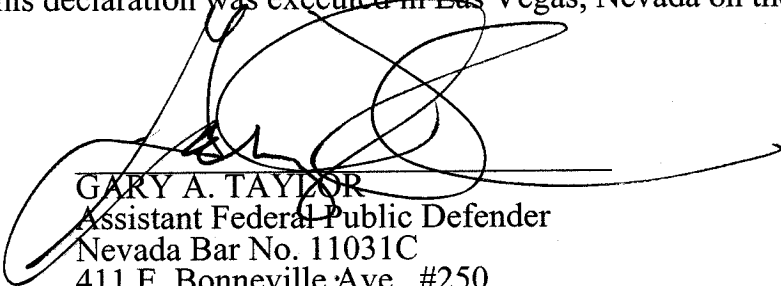
1 commencing on November 8, 2008 regarding a challenge to the confinement of a detainee at
2 Guantanamo Bay Naval Station, Cuba. Gary Taylor took three days of annual leave during this
3 time period.

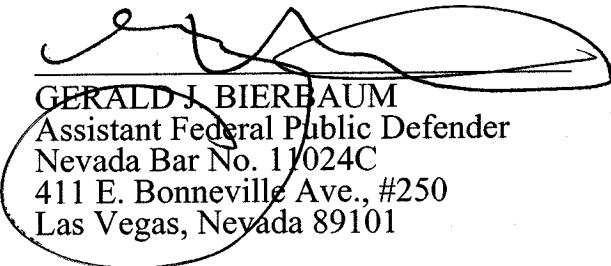
4 6 This request is made solely in order to allow this office to provide Mr. Witter with
5 competent representation under Nev. Sup. Ct. Rule 151, see Local Rule IA 10-7(a), and not
6 merely for the purpose of delay or for any other improper purpose.

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

9 8. On November 18, 2008 Gary Taylor contacted Steven Owens' office to discuss
10 the requested extension. Mr. Owens was unavailable and Taylor spoke with Eileen Davis an
11 assistant in the District Attorneys' office. On November 19, 2008, Taylor again spoke with Ms.
12 Davis who stated that the District Attorneys' office is NOT OPPOSED to this request.

13 9. We declare under the penalty of perjury that the foregoing is true and correct to
14 the best of our knowledge and that this declaration was executed in Las Vegas, Nevada on the
15 19th day of November, 2008.

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17 
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