

ORIGINAL

FILED

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAR 31 2008

SIAOSI VANISI,

Appellant,

Supreme Court No. 50607

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
R. Malone
DEPUTY CLERK

v.

District Court No. CR98P0516

THE STATE OF NEVADA,

DEATH PENALTY CASE

Respondent.

MOTION FOR EXTENSION OF TIME

COMES NOW Appellant, SIAOSI VANISI, by and through his attorney of record SCOTT EDWARDS, ESQ., and co-counsel THOMAS L. QUALLS, ESQ., and hereby moves this Honorable Court for an Order allowing counsel sixty (60) days to file the Opening Brief that at this time is due March 27, 2008.

This Motion is made and based upon the attached Memorandum of Points and Authorities, the Affidavits of SCOTT EDWARDS, ESQ. and THOMAS L. QUALLS, ESQ.; and, upon any and all other relevant records, documents, motions and pleadings on file herein; as well as upon such testimony or documentation as may be required by this Honorable Court.

RESPECTFULLY SUBMITTED this 27 day of March, 2008.

Scott Edwards

SCOTT EDWARDS, ESQ.
Attorney for Appellant,
SIAOSI VANISI

Thomas L. Qualls

THOMAS L. QUALLS, ESQ.
Co-Counsel for Appellant,
SIAOSI VANISI

RECEIVED

MAR 31 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

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Reno, Nevada 89501
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1 of Appeal was timely filed on November 28, 2007. At this time Appellant's Opening Brief is due
2 March 31, 2008.

3 **II.**

4 **ARGUMENT**

5 Appellant, SIAOSI VANISI, has been found to be indigent in these proceedings. As a
6 result, this court appointed undersigned counsel. Due to the seriousness of this matter, as it is a
7 death penalty case, appellant's counsel requests additional time to file the Opening Brief.
8 VANISI's case is complicated and the State's challenge of the new rule announced in McConnell
9 relevant to this case requires extensive historical analysis. Accordingly, it is necessary for
10 undersigned counsel to be allowed additional time in order to provide zealous representation of
11 Appellant SIAOSI VANISI's interests. This is the first request for an extension of time in this
12 matter and this request is made in good faith and not for the purpose of unnecessary delay.
13

14
15 **WHEREFORE**, Appellant SIAOSI VANISI, by and through the undersigned counsel,
16 respectfully requests this Honorable Court enter an order to allow counsel sixty (60) days to file
17 the Opening Brief up to and including May 30, 2008.

18 **RESPECTFULLY SUBMITTED** this 27 day of **March, 2008**.
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23 **SCOTT EDWARDS, ESQ.**
24 Attorney for Appellant,
25 SIAOSI VANISI
26
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THOMAS L. QUALLS, ESQ.
Co-Counsel for Appellant,
SIAOSI VANISI

AFFIDAVIT OF SCOTT EDWARDS, ESQ.

STATE OF NEVADA)

)§

COUNTY OF WASHOE)

I, SCOTT EDWARDS, ESQ., having been duly sworn, deposes and states under penalty of perjury the assertions of the Affidavit are true as follows:


1. That your Affiant is an attorney licensed to practice law in all courts of the State of Nevada;

2. That your Affiant was appointed for purposes of representing Appellant SIAOSI VANISI in the case of *Siaosi Vanisi v. The State of Nevada*, Case No.50607;

3. That your Affiant believes that sixty (60) days is adequate time for filing of the Opening Brief;

4. That your Affiant makes the foregoing requests in order to provide an adequate and effective representation for SIAOSI VANISI.

FURTHER YOUR AFFIANT SAYETH NOT.


SCOTT EDWARDS, ESQ.

AFFIDAVIT OF THOMAS L. QUALLS, ESQ.

STATE OF NEVADA)

)§

COUNTY OF WASHOE)

I, THOMAS L. QUALLS, ESQ., having been duly sworn, deposes and states under penalty of perjury the assertions of the Affidavit are true as follows:

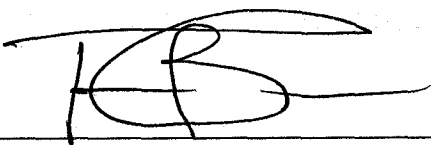
1. That your Affiant is an attorney licensed to practice law in all courts of the State of Nevada;

2. That your Affiant was appointed as co-counsel for purposes of representing Appellant SIAOSI VANISI in the case of *Siaosi Vanisi v. The State of Nevada*, Case No. 50607;

3. That your Affiant believes that sixty (60) days is adequate time for filing of the Opening Brief;

4. That your Affiant makes the foregoing requests in order to provide an adequate and effective representation for SIAOSI VANISI.

FURTHER YOUR AFFIANT SAYETH NOT.


THOMAS L. QUALLS, ESQ.

AFFIRMATION
PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the proceeding document, Motion to Reconsider or Correct Order Filed March 4, 2008; and Motion for Leave to Amend Supplement to Petition filed in case number CR97P2077, does not contain the social security number of any person(s).

DATED this 27 day of March, 2008.



Kristy Schaaf

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Law Office of Thomas L. Qualls and that on the 28th day of March, 2008, I served a copy of the Motion for Extension of Time upon all counsel of record via personal delivery and US postal service to the following address:

Washoe County District Attorney's Office
Terrence McCarthy, Appellate Division
One South Sierra Street, 4th floor
Reno, Nevada 89520

DATED this 28th day of March, 2008.



Kristy Schaaf