

• ORIGINAL •

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRENCE KARYIAN BOWSER,)
)
Appellant,)
)
vs.)
)
THE STATE OF NEVADA,)
)
Respondent.)

Case No. 50851

FILED

DEC 01 2008

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

**APPELLANT'S MOTION FOR EXTENSION OF TIME DUE TO RECENTLY
RECEIVED TRANSCRIPT AND DOCUMENTS**

COMES NOW Appellant TERRENCE KARYIAN BOWSER, by and
through Deputy Public Defender AUDREY M. CONWAY, and moves this
Honorable Court to grant a sixty (60) day extension of time from
Tuesday, November 25, 2008, through and including Friday,
January 23, 2009, within which to file the Opening Brief in the
above entitled case.

This Motion is based upon the Declaration of counsel
attached hereto.

DATED this 25th day of November, 2008.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By

Audrey M. Conway
AUDREY M. CONWAY, #5611
Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

RECEIVED

DEC 01 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

1 **DECLARATION OF AUDREY M. CONWAY**

2 1. I am an attorney licensed to practice law in the
3 State of Nevada; I am a deputy public defender assigned to
4 handle the appeal of this matter; I am familiar with the
5 procedural history of this case.
6

7 2. That the Opening Brief was due to be filed on or
8 before Tuesday, November 25, 2008. This Court has granted
9 previous extensions due to delays in receipt of transcripts.

10 3. That appellate staff received the last of the
11 documentation needed to finalize the appendix at the end of
12 October. The final transcript was not filed until October 17,
13 2008, and received by this office the following week. In
14 addition, appellate staff located an additional box of materials
15 related to this file that had only recently been forwarded from
16 the main office. Appellate staff needed at least two additional
17 weeks to incorporate the documentation into the appendix,
18 finalize the index, and deliver the appendix to declarant.
19

20 4. The final appendix will be completed by the end of
21 November. The appendix consists of three volumes of at least 250
22 pages each. Declarant would ask this Honorable Court to grant
23 an extension of sixty (60) days to review the appendix, obtain
24 any necessary exhibits, and finalize the opening brief.
25

26 5. Appellant also requests additional time to discuss
27 the appellate issues with Mr. Bowser, who is incarcerated in
28

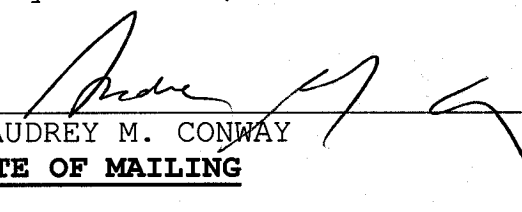
1 Northern Nevada and whom declarant has been unable to contact
2 thus far.

3 6. This was a case in which the death penalty was
4 sought, and involves complex legal and factual issues that
5 require additional time for the completion of the research
6 and writing of the opening brief.
7

8 7. That this request for extension of time is made
9 in good faith and not for the purposes of delay.

10 I declare under penalty of perjury that the foregoing
11 is true and correct.
12

13 EXECUTED on the 25th day November, 2008.

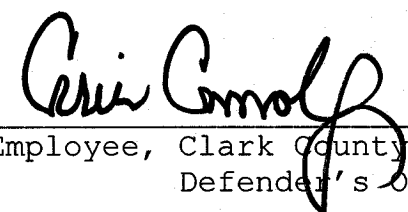
14 
15 AUDREY M. CONWAY

16 **CERTIFICATE OF MAILING**

17 I hereby certify and affirm that I mailed a copy of
18 the foregoing Appellant's Motion for Extension of Time to the
19 attorney of record listed below on this 25th day of November,
20 2008.
21

22 DAVID ROGER
23 CLARK COUNTY DISTRICT ATTORNEY
24 200 Lewis Avenue, 3rd Floor
25 Las Vegas, NV 89155

26 BY

27 
28 Employee, Clark County Public
Defender's Office