

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZANE M. FLOYD,

Case No. 51409

Appellant,

vs.

FILED

AUG 11 2008

E.K. McDANIEL, Warden, and
CATHERINE CORTEZ MASTO,
Attorney General of Nevada,

Respondents.

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK**REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE
APPELLANT'S OPENING BRIEF**

Appellant ZANE M. FLOYD, through counsel, hereby requests an extension of time of sixty (60) days, up to and including October 7, 2008, within which to serve and file his opening brief on appeal. Nev. Sup. Ct. Rule 250 (7)(d); Nev. R. App. P. 31 (a)(3). This request is supported by the attached declaration of counsel. Counsel for Respondents does not oppose this request.

Dated this 7th day of August, 2008.

Respectfully submitted,

FRANNY A. FORSMAN
Federal Public DefenderE. Ben Serrano (Nev. 7902) for
TIFFANI D. HURST
Assistant Federal Public Defender
Temporary Nevada Bar Number 11027C
411 East Bonneville Ave., Suite 250
Las Vegas, Nevada 89101
(702) 388-6577

Counsel for Appellant

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AUG 11 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

DECLARATION

Tiffani D. Hurst declares as follows:


1. I am an attorney at law, admitted to the practice in the State of Illinois, and, admitted to limited representation in the State of Nevada, Nev. Sup. Ct. Rule 49.11. I am employed as an Assistant Federal Public Defender in the Capital Habeas Unit of the Law Offices of the Federal Public Defender. I represent the appellant, Zane Michael Floyd, in this matter.

2. The opening brief in Mr. Floyd's case is currently due to be filed on August 11, 2008. I recently underwent emergency surgery to give birth to my daughter. Because the birth was premature, she was required to be hospitalized. She has only now been allowed to come home from the hospital and in order to care for her I will be on maternity leave until September. Because of the premature birth I was unable to plan for the timing of my leave and as a result was unable to complete Mr. Floyd's opening brief by the due date.

3. Attorney C. Benjamin Scroggins from my office spoke with counsel for the Respondents, Deputy District Attorney, Steven Owens, and advised him of my intent to request a sixty (60) day extension of time. Attorney Owens stated that he had no objection to the requested extension of time.

4. This request is made in order to provide Mr. Floyd with competent representation, Nev. Sup. Ct. Rule 151, and not solely for the purpose of delay or for any other improper purpose.

5. I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 7, 2008 in Las Vegas, Nevada.


TIFFANI D. HURST
Assistant Federal Public Defender
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Counsel for Appellant

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R. Turner

An Employee of the Federal Public Defender