

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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5 ZANE MICHAEL FLOYD,

6 Appellant,

7 v.

8 THE STATE OF NEVADA,

9 Respondent

) Case No. 51409
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Electronically Filed
Jun 30 2009 04:22 p.m.
Tracie K. Lindeman

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11 **MOTION FOR EXTENSION TIME**
12 **(second request)**

13 COMES NOW the State of Nevada, by DAVID ROGER, Clark County District
14 Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for
15 an extension of time within which to file Respondent's Answering Brief. This motion
16 is based on the following memorandum and all papers and pleadings on file herein.

17 Dated this 30th day of June, 2009.

18 Respectfully submitted,

19 DAVID ROGER
20 Clark County District Attorney
21 Nevada Bar # 002781

22 BY /S/Steven S. Owens

23 STEVEN S. OWENS
24 Chief Deputy District Attorney
25 Nevada Bar #004352

26 Office of the Clark County District Attorney
27 200 Lewis Avenue
28 Post Office Box 552212
 Las Vegas, Nevada 89155-2212
 (702) 671-2750

1 **MEMORANDUM**

2 Pursuant to NRAP 26(b), this Court for good cause shown can enlarge the time
3 prescribed by the Nevada Rules of Appellate Procedure for doing any act, or may
4 permit an act to be done after the expiration of such time. In addition, this is a death
5 penalty case and Supreme Court Rule 250(7)(d) allows for an initial extension of time
6 of up to sixty (60) days upon showing of good cause.

7 With respect to good cause, Appellant's Opening Brief is 85 pages long and
8 raises three complex main issues with numerous sub-issues, and references thirty-
9 seven (37) volumes of appendix containing 7,425 pages.

10 The law clerk assigned to this case has several concurrent answering briefs to
11 prepare with extensive records. Because each of the other law clerks and supervising
12 attorneys were similarly situated, it was not possible to reassign cases until the
13 summer internship program began. In addition, the law clerk was also out of the
14 office for several days due to a prior commitment. The State respectfully moves for
15 an enlargement of time of sixty (60) days, making said brief due Monday, August 31,
16 2009. Granting the enlargement of time will allow the law clerk the additional time
17 necessary to thoroughly review, adequately research and address Appellant's claims.
18 This is the State's second Motion for an Extension of Time in this matter.

19 Dated this 30th day of June, 2009.

20 Respectfully submitted,

21 DAVID ROGER
22 Clark County District Attorney
23 Nevada Bar # 002781

24 BY /S/Steven S. Owens
25 STEVEN S. OWENS
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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on this 30th day of June 2009. Electronic Service of the foregoing document shall be made in accordance with the Mast Service List as follows:

Catherine Cortez Masto
Steven S. Owens
Danielle Hurst

/s/ Margie English

Employee, Clark County
District Attorney's Office