

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

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5 NARCUS S. WESLEY,

6 Appellant,

7 v.

8 THE STATE OF NEVADA,

9 Respondent.

) Case No. 52127

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) Electronically Filed
) Sep 28 2009 04:55 p.m.
) Tracie K. Lindeman
)

10 **MOTION FOR EXTENSION OF TIME**

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12 **MOTION FOR EXTENSION TIME**

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 an
15 extension of time within which to file Respondent's Answering Brief. This motion is based
16 on the following memorandum and all papers and pleadings on file herein.

17 Dated this 28th day of September, 2009.

18 Respectfully submitted,

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

21
22 BY /s/ Steven S. Owens

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

2 I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am
3 employed by the Clark County District Attorney's Office.

4 Respondent's Answering Brief is currently due September 28, 2009. Pursuant to
5 NRAP 26(b), this Court for good cause shown can enlarge the time prescribed by the Nevada
6 Rules of Appellate Procedure for doing any act.

7 With respect to good cause, the Opening Brief includes six (6) complex issues and is
8 accompanied by six (6) volumes, totaling 1,200 pages, of appendix, that the State must
9 address and is a complex case with a lengthy procedural history. Additionally, the law clerk
10 assigned to preparing the State's answer has numerous other briefs and post-conviction
11 matters assigned to her making a proper response difficult to achieve given the current
12 schedule. Accordingly, the State moves for an enlargement of time of thirty (30) days within
13 which to file Respondent's Answering Brief up to and including October 28, 2009 rather
14 than rush to complete the State's brief. This will allow the State sufficient time to draft a
15 brief which adequately addresses Defendant's issues and provide this Court with sufficient
16 citation to legal authority to address the novel issues presented in Defendant's brief.

17 Dated this 28th day of September, 2009.

18 Respectfully submitted,

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

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22 BY */s/ Steven S. Owens*

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