

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

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5 JOSEPH ALEXANDER HENDERSON,)
6 Appellant,)
7 v.)
8 THE STATE OF NEVADA,)
9 Respondent.)

Case No. 52573

Electronically Filed
May 01 2009 04:35 p.m.
Tracie K. Lindeman

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11 **MOTION FOR ENLARGEMENT OF TIME**
12 **(first 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 an
15 enlargement 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 1st day of May, 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 Regional Justice Center
28 200 Lewis Avenue
 Post Office Box 552212
 Las Vegas, Nevada 89155-2212
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1 MEMORANDUM

2 This is an appeal from the Judgment of Conviction.

3 Pursuant to NRAP 26(b), this Court for good cause shown can enlarge the time
4 prescribed by the Nevada Rules of Appellate Procedure for doing any act, or may
5 permit an act to be done after the expiration of such time.

6 With respect to good cause, Appellant's Opening Brief consists of 5 issues
7 which allege various errors at the pre-trial and trial levels and includes 2 volumes of
8 appendices. The law clerk assigned to prepare the State's Answering Brief just
9 finished another Answering Brief which consisted of 8 issues, 31 sub-issues, and 7
10 volumes of appendices. The State therefore requires more time to be able to read
11 Appellant's trial transcript and address Appellant's issues on the merits. Further, due
12 to a family emergency, the assigned law clerk was not able to work for a portion of
13 the period. Based on the foregoing, Respondent moves this Court for more time to
14 prepare its Answering Brief.

15 The State respectfully moves for an enlargement of time of thirty (30) days,
16 making said brief due June 1, 2009.

17 DATED this 1st day of May 2009.

18
19 BY */S/ Steven S. Owens*

20 STEVEN S. OWENS
21 Chief Deputy District Attorney
Nevada Bar #004352

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on the 1st day of May, 2009. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

- Philip J. Kohn
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- Steven S. Owens

/s/ Margie English

Employee, Clark County
District Attorney's Office

OWENSs/english/Simone O'Connell