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Respondent.

E-File

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¹ Docket 52921 Document 2009-31344

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2. The Opening Brief was due to be filed on or before Monday, December 28, 2009.

4. After the appellant receives the records, he would like to review said records and has requested a meeting with declarant in person to discuss the issues he would like raised on appeal. Declarant will be setting up a meeting with appellant who is incarcerated in High Desert State Prison. It will take appellant approximately two weeks to review all of the records once he receives them, it will take another 2-3 weeks to set up and meet with the appellant in High Desert. After said meeting, Declarant will need an additional 2-3 weeks to research and incorporate any issues appellant would like raised on appeal. Declarant will be consulting appellant on both pending appeals.

6. Appellant's charges in this case are serious and include: Count 1 – Burglary, Count 2 – Larceny from the Person; Count 3 – Burglary; Count 4 – Possession of Credit or Debit Card Without Cardholder's Consent; Count 5 – Fraudulent Use of Credit or Debit Card; Count 6 – Possession of Credit or Debit Card Without Cardholder's Consent.

1 – Theft; Count 7 – Conspiracy to Commit Larceny and sentenced to \$25 Admin. fee; \$270
2 restitution; \$150 DNA analysis fee; genetic testing; sentenced under the Large Habitual
3 Criminal Statute: Count 1 – 10 years to Life in prison; Count 2 – 10 years to Life in prison to run
4 concurrent with Count 1; Counts 3, 4, 5, and 6 – 10 years to Life in prison; Count 7 – one year in
5 CCDC; Counts 3-7 are to run concurrent to each other and consecutive to Counts 1 & 2; 200
6 days CTS. Appellant received multiple life sentences.

8
9 7. Due to the complexity of the case, Declarant feels that appellant's active
10 involvement in the appellate process is very necessary and an additional seventy-five days will
11 enable Appellant to provide his input.

12 8. This request for an extension of time is made in good faith and not for the
13 purposes of delay. It is the best professional judgment of the declarant that this extension is
14 crucial to the perfection of this appeal and to the provision of effective assistance of counsel to
15 this client.

16
17 EXECUTED on the 28th day of December, 2009.

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19 _____
20 P. DAVID WESTBROOK
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 28th day of December, 2009. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO
STEVEN S. OWENS

P. DAVID WESTBROOK
HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

RONALD ROSS
NDOC No. 1003485
c/o High Desert State Prison
P.O. Box 650
Indian Springs, NV 89018

BY _____
Employee, Clark County Public
Defender's Office