1	IN THE SUPREME COURT OF THE STATE OF NEVADA
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3 4	RONALD ROSS,) Electronically Filed Dec 28 2009 02:07 p.m
5) Case No. 52921
6	vs.) E-File
7	THE STATE OF NEVADA,)
8	Respondent.)
9 10	APPELLANT'S MOTION FOR AN EXTENSION OF TIME
11	COMES NOW Appellant RONALD ROSS, by and through Deputy Public
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13	Defender P. DAVID WESTBROOK, and moves this Honorable Court to grant a seventy-five
14	(75) day extension of time from Monday, December 28, 2009, through and including Monday,
15	March 16, 2010, within which to file the Opening Brief in the above entitled case.
16	This Motion is based upon the attached Declaration of counsel.
17	DATED this 28th day of December, 2009.
18	PHILIP J. KOHN
19	CLARK COUNTY PUBLIC DEFENDER
20	
21	By
22	P. DAVID WESTBROOK, #9278 Deputy Public Defender
23	309 So. Third Street, Suite #226 Las Vegas, Nevada 89155-2610
24	(702) 455-4685
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DECLARATION OF P. DAVID WESTBROOK

- I am an attorney duly licensed to practice law in the State of Nevada and the Deputy Public Defender assigned to represent RONALD ROSS on appeal currently pending before this Court.
- The Opening Brief was due to be filed on or before Monday, December 28,
 2009.
- 3. Appellant has two active appeals before this Honorable Court. Both appeals have an extensive record. Appellant has expressed the desire to take a very active role in his pending appeals and has requested that he receive complete copies of the record in both appeals. Declarant has mailed the record in the above captioned appeal to the appellant, and as soon as the appendix is finalized in appellant's second appeal, that record will be forwarded as well. This will happen within the next two days.
- 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.
- 5. In addition to the above, Declarant has been ill for the past ten days and this has significantly slowed down progress regarding preparation of the Opening Brief.
- 6. Appellant's charges in this case are serious and include: Count 1 Burglary, Count 2 Larceny from the Person; Count 3 Burglary; Court 4 Possession of Credit or Debit Card Without Cardholder's Consent; Count 5 Fraudulent Use of Credit or Debit Card; Count 6

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

- 7. Due to the complexity of the case, Declarant feels that appellant's active involvement in the appellate process is very necessary and an additional seventy-five days will enable Appellant to provide his input.
- 8. This request for an extension of time is made in good faith and not for the purposes of delay. It is the best professional judgment of the declarant that this extension is crucial to the perfection of this appeal and to the provision of effective assistance of counsel to this client.

EXECUTED on the 28th day of December, 2009.

P. DAVID WESTBROOK

1	CEDTIFICATE OF CEDVICE
2	<u>CERTIFICATE OF SERVICE</u>
3	I hereby certify that this document was filed electronically with the Nevada
4	Supreme Court on the 28th day of December, 2009. Electronic Service of the foregoing
5	document shall be made in accordance with the Master Service List as follows:
6	CATHERINE CORTEZ MASTO P. DAVID WESTBROOK
7	STEVEN S. OWENS HOWARD S. BROOKS
8	I further certify that I served a copy of this document by mailing a true and
9	correct copy thereof, postage pre-paid, addressed to:
10	
11	RONALD ROSS NDOC No. 1003485
12	c/o High Desert State Prison P.O. Box 650
13	Indian Springs, NV 89018
14	
15	DV
16	BY Employee, Clark County Public
17	Defender's Office
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	II