

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

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4 **Electronically Filed**
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 Traffie K. Lindeman

5 MICHAEL DAMON RIPPO,)

6 Appellant,)

7 v.)

8 THE STATE OF NEVADA,)

9 Respondent)

Case No. 53626

10 **MOTION FOR EXTENSION OF TIME**

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

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5 MICHAEL DAMON RIPPO,) Case No. 53626
6 Appellant,)
7 v.)
8 THE STATE OF NEVADA,)
9 Respondent)

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11 **MOTION FOR EXTENSION TIME**

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

16 Dated this 19th day of January, 2010.

17 Respectfully submitted,

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

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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 the supervising attorney in the above-captioned case.
3 The State is requesting a thirty (30) day extension of time in which to file its Answering
4 Brief under SCR 250(7)(d). One previous extension has been granted. As good cause for
5 the extension, the State cites the large size of the record and number of pages in the Opening
6 Brief.

7 This is an appeal from a district court order denying Appellant's second Post-
8 Conviction Petition for Writ of Habeas Corpus. Appellant's counsel filed and was granted
9 by this Court a sixty (60) day extension of time to file his Opening Brief.

10 Pursuant to NRAP 26(b), this Court for good cause shown can enlarge the time
11 prescribed by the Nevada Rules of Appellate Procedure for doing any act, or may permit an
12 act to be done after the expiration of such time. In addition, Supreme Court Rule 250(7)(d)
13 allows for an initial extension of time of up to sixty (60) days upon a showing of good
14 cause.

15 This capital case consists of a forty-eight (48) volume appendix—totaling 11,661
16 pages. The ninety-three (93) page Opening Brief raises approximately fourteen (14) issues
17 and twenty (20) sub-issues.

18 The State respectfully moves for an enlargement of time of thirty (30) days, making
19 said brief due on February 18, 2010. This will give the State sufficient time to thoroughly
20 review and respond fully to the material in Appellant's Opening Brief.

21 I declare under penalty of perjury the factual representations set forth in the foregoing
22 memorandum are true and correct.

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1 Dated this 19th day of January, 2010.

2 Respectfully submitted,

3 DAVID ROGER
4 Clark County District Attorney
5 Nevada Bar # 002781

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7 BY */s/ Steven S. Owens*

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