

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DAMON RIPPO,

Appellant,

vs.

RENEE BAKER, Warden, and
ADAM PAUL LAXALT, Attorney
General for the State of Nevada,

Respondents.

Case No. 53626

Electronically Filed
Mar 14 2016 03:09 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

**REQUEST FOR EXTENSION OF TIME WITHIN WHICH
TO FILE PETITION FOR REHEARING**

Appellant Michael Damon Rippo, through counsel, hereby requests an extension of time of twenty-one (21) days, to and including April 4, 2016, within which to file his petition for rehearing following the Court's order filed February 25, 2016, affirming the denial of habeas corpus relief. This request is supported by the attached declaration of counsel.

Dated this 14th day of March, 2016.

Respectfully submitted,

DAVID ANTHONY

Assistant Federal Public Defender
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DECLARATION

I, David Anthony, hereby declare as follows:

1. I am an attorney, admitted to the practice of law before this Court. I am employed as an Assistant Federal Public Defender in the Capital Habeas Unit of the Federal Public Defender. I represent the appellant, Michael Damon Rippo, in this appeal.

2. Mr. Rippo's petition for rehearing is currently due on March 14, 2016. A request for an extension of time of twenty-one (21) days is sought, up to and including April 4, 2016, in which to file the petition. This is Mr. Rippo's first request for an extension of time.

3. Since the filing of the Court's order on February 25, 2016, I have had to devote all my attention to filing deadlines in other capital cases that could not be extended. On February 29, 2016, I filed a petition for writ of certiorari with the United States Supreme Court in Kirksey v. Baker, No. 15-8404 (I was involved in a car accident on February 18, 2016, and I was out of the office on sick leave until February 24, 2016). On March 7, 2016, I filed a petition for writ of certiorari in the United States Supreme Court in Lisle v. Baker, Nev. Sup. Ct. No. 55173. I currently have a post-hearing brief due in McConnell v. Baker, Second Judicial District Court No. CR021938, and I have a petition for writ of certiorari due with the United States Supreme Court on March 21, 2016, in Lopez v. Baker, Nev. Sup. Ct. No. 61535. I

have previously sought and received an extension of time for each of the deadlines above, and I do not believe that the Court will allow any further extensions of time for these deadlines.

4. I am requesting three weeks to file the petition for rehearing because I also have an amended petition due in a complex capital habeas matter arising out of the Northern District of California on April 8, 2016, in Bonilla v. Davis, Case No. C08-0471 CW. In light of this deadline, I will need to travel to San Francisco and San Quentin during the week of March 21, 2016.

5. This request is made in order to provide Mr. Rippo with competent representation, NRPC 1.1, and not solely for the purpose of delay or for any other improper purpose. I will compete and file the petition for rehearing on April 4, 2016.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 14, 2016, in Clark County, Nevada.

DAVID ANTHONY
Attorney for Appellant

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on March 14, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven Owens, Deputy District Attorney

JEREMY KIP

An Employee of the Federal Public Defender