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LUIS A. HIDALGO, III.
Appellant,
v.
THE STATE OF NEVADA,
Respondent

Case No. 54272

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Dated July 6, 2011.

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1 **MEMORANDUM**

2 I, NANCY A. BECKER, am the supervising attorney in the above-captioned case.
3 The State is requesting a six (6) day extension of time in which to file its Answering Brief
4 under Nevada Rules of Appellate Procedure (NRAP) 31(b)(3). Three previous extensions
5 have been requested. Under NRAP 26(b), this Court for good cause shown can enlarge the
6 time prescribed by the NRAP for doing any act, or may permit an act to be done after the
7 expiration of such time.

8 This is an appeal from final judgment in a multi-defendant murder case. Appellant
9 filed a Notice of Appeal on August 3, 2009. Appellant's Opening Brief was initially due on
10 January 29, 2010. On December 24, 2009, Appellant filed his first Motion for Extension of
11 Time which sought an extension of ninety (90) days and was granted on December 29, 2009.
12 Appellant subsequently filed five (5) additional Motions for Extension of time, all of which
13 were granted. The Clark County District Attorney's Office received Appellant's Opening
14 Brief on February 4, 2011. The State's Answering Brief was due on or before March 7,
15 2011. The State requested an extension of sixty (60) days, which was granted. The State
16 subsequently requested a second extension of thirty (30) days, which was granted. The State
17 then requested a third extension of thirty (30) days, which was granted.

18 As good cause for this fourth extension, the State cites the large size of the record,
19 number of pages in the Opening Brief, the number and complexity of issues raised, and the
20 need to make edits to the current draft suggested by trial counsel. The pleadings and
21 appendices in this action are extensive. The fifty-one (51) page Opening Brief raises five (5)
22 issues of exceeding complexity requiring an extensive review of jurisprudence from inside
23 and outside Nevada. Because this is Appellant's direct appeal following his conviction, a
24 detailed review of the record is required. Appellant has submitted an eleven (11) volume
25 appendix consisting of approximately twenty-four hundred (2400) pages.

26 The law clerk assigned to this case presented a draft Answering Brief to the trial and
27 supervising attorneys on June 30, 2011. The draft was promptly reviewed by both and there
28 are edits and some additional research to be completed with regard to two issues. The law

1 clerk is currently out of the office due to illness and the supervising attorney had a family
2 emergency, thus the edits and research have not been completed.

3 The State respectfully moves for an enlargement of time of six (6) days, making its
4 brief due on July 12, 2011. This will give the State sufficient time to finish making the edits
5 and complete the research so that it can properly respond to the material in Appellant's
6 Opening Brief.

7 DATED this 6th day of July, 2011.

8 Respectfully submitted,

9 DAVID ROGER,
10 Clark County District Attorney

11
12 BY */s/ Nancy A. Becker*

13 NANCY A. BECKER
14 Deputy District Attorney
15 Nevada Bar #000145

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20 Las Vegas, Nevada 89155-2212
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify and affirm that this document was filed electronically with the
3 Nevada Supreme Court on July 6, 2011. Electronic Service of the foregoing document shall
4 be made in accordance with the Master Service List as follows:

5
6 CATHERINE CORTEZ MASTO
Nevada Attorney General

7 JOHN L. ARRASCADA, ESQ.
8 CHRISTINE ARRASCADA ARAMINI, ESQ.
Counsels for Appellant

9
10 NANCY A. BECKER
Deputy District Attorney

11
12 I further certify that I served a copy of this document by mailing a true and correct
13 copy thereof, postage pre-paid, addressed to:

14
15 CHRISTOPHER W. ADAMS, ESQ.
16 Admitted Pro Hac Vice
102 Broad Street, Ste. C
17 P.O. Box 561
Charleston, South Carolina 29402-0561

18
19
20 BY /s/ eileen davis
21 Employee, District Attorney's Office

22
23
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25
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27 NAB/Patrick Burns/ed
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