1	IN THE SUPREME COURT OF THE STATE OF NEVADA	
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3	JUSTIN JUG CAPRI PORTER, ) Electronically Filed	
5	Appellant, ) Apr 15 2010 03:03 p.r Appellant, ) Tracie K. Lindeman Case No. 54866	m.
6	VS. ) Case No. 54800	
7	THE STATE OF NEVADA,	
8	Respondent.	
10	APPELLANT'S MOTION FOR THREE DAY EXTENSION IN TIME TO FILE	
11	OPENING BRIEF TO ALLOW ADDITIONAL LEGAL RESEARCH	
12	Comes Now Appellant Justin Porter, by and through Deputy Public Defender	
13	Howard S. Brooks, and moves this Honorable Court for a three-day extension in time to file the	
14	Opening Brief due to the necessity of conducting unanticipated legal research.	
15	This motion is made and based upon the attached Declaration of Howard S.	
16	Brooks.	
17	DATED this 15 <sup>th</sup> day of April, 2010.	
18	PHILIP J. KOHN	
19 20	CLARK COUNTY PUBLIC DEFENDER	
21	$\bigcirc I \cap I \cap I \cap I$	
22	By MAI	
23	HOWARD S. BROOKS, #3374 Deputy Public Defender	
24	309 So. Third Street, Suite #226 Las Vegas, Nevada 89155-2610	
25	(702) 455-5731	
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## **DECLARATION OF HOWARD S. BROOKS**

- 1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender representing Justin Porter in the appeal of the conviction in this case: I am familiar with the procedural history of this case.
  - 2. The Opening Brief is currently due to be filed Thursday, April 15, 2010.
- 3. After finishing my review of the record in the case, and during the preparation of the Opening Brief, I have discovered three unanticipated legal issues which I need to research to determine whether I should include these issues in the brief.
- 4. I believe I can complete my research in two days, but am asking for a three day extension out of an abundance of caution.
  - 5. This motion is made in good faith and not merely for any purpose of delay.I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 15th day of April, 2010.

Soul S. Bruk

**HOWARD S. BROOKS** 

1	CEDTIFICATE OF SEDVICE
2	I hereby certify that this document was filed electronically with the Nevada
3	Supreme Court on the 15th day of April, 2010. Electronic Service of the foregoing document
4	shall be made in accordance with the Master Service List as follows:
5	CATHERINE CORTEZ MASTO HOWARD S. BROOKS
6	STEVEN S. OWENS PHILIP JAY KOHN
7	I further certify that I served a copy of this document by mailing a true and
8	correct copy thereof, postage pre-paid, addressed to:
9	JUSTIN JUG CAPRI PORTER
10	NDOC No. 1042449
11	c/o High Desert State Prison P.O. Box 650
12	Indian Springs, NV 89018
13	BY_ Ullu ml
14	Employee, Clark County Public Defender's Office
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