

IN THE SUPREME COURT OF THE STATE OF NEVADA

Case Nos. 53159 & 55759

Electronically Filed
Sep 14 2018 10:21 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Norman Keith Flowers,

Appellant,

v.

The State of Nevada,

Respondent.

Motion for Extension of Time to Refile Appendices

Rene L. Valladares
Federal Public Defender
Nevada State Bar No. 11479
*C.B. Kirschner
Assistant Federal Public Defender
Nevada State Bar No. 14023C
411 E. Bonneville Ave., Suite 250
Las Vegas, Nevada 89101
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*Counsel for Petitioner Norman Flowers

POINTS AND AUTHORITIES

For the reasons stated in the attached Declaration of Counsel and pursuant to Nevada Rules of Appellate Procedure 26, 27, and 31(b)(3), Norman Flowers requests the time to refile the appendices be extended until after this Court rules on the pending motions to withdraw and remand for the appointment of new counsel.

Dated this 14th day of September, 2018.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ CB Kirschner

C.B. KIRSCHNER
Assistant Federal Public Defender
Nevada State Bar No. 14023C
411 E. Bonneville Ave., Suite 250
Las Vegas, Nevada 89101
702-388-6577

DECLARATION OF COUNSEL

I, C.B. Kirschner, do declare as follows:

1. I am counsel for the appellant in the above-entitled matter.

I have personal knowledge of the matters contained herein and am competent to testify thereto.

2. On July 9, 2018, this Court granted a motion reinstating the current appeals.

3. On August 16, 2018, this Court issued an order directing Flowers to refile the appendices that were originally submitted with the appellate briefs in 2009.

4. This Court ordered the appendices be filed on or before September 14, 2018.

5. On August 23, 2018, I moved to withdraw as counsel of record due to a conflict of interest and further moved for the case to be remanded for the appointment of new counsel. Those motions are still pending.

6. For these reasons, I respectfully request this Court extend the current order until after this Court rules on the pending motions for withdrawal and remand for the appointment of new counsel.

I declare the foregoing is true and correct.

Dated this 14th day of September, 2018.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ CB Kirschner
C.B. KIRSCHNER
Assistant Federal Public Defender

VERIFICATION

Pursuant to NRAP 21(a)(5), and under penalty of perjury, the undersigned declares that she is counsel for the petitioner named in the foregoing petition and knows the contents thereof; that the pleading is true of her own knowledge except as to those matters stated on information and belief and as to such matters she believes them to be true. Petitioner personally authorized undersigned counsel to commence this action.

Dated this 14th day of September, 2018.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ CB Kirschner
C.B. KIRSCHNER
Assistant Federal Public Defender

CERTIFICATE OF COMPLIANCE

1. I hereby certify that this motion complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6), as required by NRAP 21(d) because:

This petition has been prepared in a proportionally spaced typeface using Microsoft Word in Century, 14 point font: or

This petition has been prepared in a monospaced typeface using Word Perfect with Times New Roman, 14 point font.

Dated this 14th day of September, 2018.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ CB Kirschner

C.B. KIRSCHNER

Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2018, I electronically filed the foregoing with the Clerk of the Nevada Supreme Court by using the appellate electronic filing system.

I served a true and accurate copy of the foregoing by placing it in the United States mail, first-class, postage pre-paid, addressed to:

Charles Thoman Clark County District Attorney's Office 200 Lewis Avenue Las Vegas, NV 89101	Adam Laxalt Office of the Attorney General 100 N. Carson Street Carson City, NV 89104
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I further certify that I have mailed the foregoing document by first-class mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following people:

Norman Flowers
#39975
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

/s/ Adam Dunn
An Employee of the Federal Public
Defender, District of Nevada