

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

                                  \* \* \* \* \*

2  
3           WILLIAM P. CASTILLO,  
4                                   Petitioner,

5           vs.

6           E.K. McDANIEL, Warden of Ely  
7           State Prison, and CATHERINE CORTEZ  
8           MASTO, Attorney General of the State of  
             Nevada,

9                                   Respondents.

  Electronically Filed  
  Dec 06 2010 02:53 p.m.  
Case No. 56176 Tracie K. Lindeman

10                           **REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE**  
11                           **APPELLANT'S OPENING BRIEF (SECOND REQUEST)**

12                           Appellant William P. Castillo, through counsel, hereby requests an extension  
13                           of time of forty-five days, to and including January 20, 2011, within which to file his opening  
14                           brief on appeal. SCR 250 (7)(d); NRAP 31 (b)(3). This is Mr. Castillo's second request for  
15                           an extension of time. This request is supported by the attached declaration of counsel.

16                           Dated this 6<sup>th</sup> day of December, 2010.

17   Respectfully submitted,  
18   FRANNY A. FORSMAN  
  Federal Public Defender

19   GARY A. TAYLOR  
20   Assistant Federal Public Defender  
  Nevada Bar No. 11024C  
  [gary\\_taylor@fd.org](mailto:gary_taylor@fd.org)

21   Attorney for Petitioner/Appellant  
22  
23  
24  
25  
26  
27  
28

**DECLARATION**

I, Gary Taylor, 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 Law Offices of the Federal Public Defender. I represent the appellant, William P. Castillo, in this matter.

2. I was licensed as an attorney by the State of Texas in 1986. I am board certified in criminal law. I am employed as an Assistant Federal Defender and I am a supervisor in the Law Offices of the Federal Public Defender for the District of Nevada. Pursuant to SCR 49.11, I am admitted to limited practice before the Nevada state courts.

3. I am assigned to more than ten death penalty cases. I assist other attorneys in the investigation and preparation of petitions for writs of habeas corpus for death penalty cases assigned to my office.

4. The opening brief in Mr. Castillo's case is currently due to be filed on December 6, 2010. A request for an extension of time of forty-five (45) days is sought, up to and including January 20, 2011, in which to file Mr. Castillo's opening brief. This is Mr. Castillo's second request for an extension of time in which to file his opening brief. I do not expect that any further requests for extensions of time will be sought.

5. My office was appointed to represent Larry Adams who was convicted of First Degree Murder and sentenced to Death in Clark County. Mr. Adams was convicted in 1986 and was represented by at least seven previous attorneys. He currently has proceedings pending in the Ninth Circuit Court of Appeals and I am assisting in the preparation of a brief to be filed on December 14, 2010.

6. Nisha Brooks, my co-counsel and Tomika Harris, my investigator, both were recently transferred to the Trial Unit in the Federal Public Defender's Office. A new attorney was hired and assigned to assist in the completion of Mr. Castillo's brief.

7. This request is made in order to provide Mr. Castillo with competent

1 representation, NRPC 1.1, and not solely for the purpose of delay or for any other improper  
2 purpose.

3 I declare under penalty of perjury that the foregoing is true and correct and that  
4 this declaration was executed on December 6, 2010 in Las Vegas, Nevada.

5

6

7

Gary A. Taylor  
Attorney for Appellant

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 6<sup>th</sup> day of December, 2010 Electronic Service of the foregoing REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE APPELLANT’S OPENING BRIEF (SECOND REQUEST) shall be made in accordance with the Master Service List as follows:

Steven S. Owens  
Chief Deputy District Attorney

Catherine Cortez Masto  
Attorney General

Katrina Manzi  
An employee of the Federal Public Defender’s Office