1	In the Supreme Cour	t of the State of Nevada
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3	WILLIAM P. CASTILLO,	No. 56176
4	Petitioner,	Electronically Filed Feb 01 2011 08:24 a.m.
5	VS.	Tracie K. Lindeman
6 7	E.K. McDANIEL, Warden, Ely State Prison, CATHERINE CORTEZ MASTO, Attorney General for Nevada,	
8	Respondents.	
9	MOTION TO PERMIT APPELLANT TO FILE AN OPENING BRIEF	
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12	This motion is based on NP AP 28(a) and NP AP $32(7)(C)(ii)$, the following	
13	declaration and all papers and pleadings on file herein	
14	Dated this 31 st day of January 2011	
15		pectfully submitted,
16 17		ANNY A. FORSMAN
17	GA	eral Public Defender RY A. TAYLOR
19	Nev	istant Federal Public Defender vada Bar No. 11031C
20	Las	East Bonneville Ave., Suite 250 Vegas, Nevada 89101
21		y_taylor@fd.org orneys for Appellant
22		Sincys for Appendit
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1	DECLARATION		
2	Gary Taylor declares as follows:		
3	1. I am an attorney at law admitted to practice before this Court, employed as an		
4	Assistant Federal Public Defender in the Capital Habeas Unit of the Federal Public Defender.		
5	This office is counsel for the appellant, William P. Castillo, in <u>Castillo v. McDaniel</u> , No. 56176.		
6	2. The opening brief in Mr. Castillo's post-conviction habeas corpus appeal is one		
7	hundred and sinteen (116) no see in longth		
8	3. I have made this brief as short as practicable. In order to provide this Court with		
9	a fair opportunity to apply controlling legal principles to the facts bearing upon Mr. Castillo's		
10	constitutional claims, it is necessary to exceed the eighty page limit. In my judgment, I cannot		
11	practicably shorten the brief further without omitting crucial facts which would endanger the		
12	right to review of constitutional claims. See 28 U.S.C. § 2254(b) (1, 3). I have attempted to		
13	comply with the Court's decisions requiring counsel both to shorten arguments presented for		
14	purposes of extension, and to provide "cogent" supporting authority for arguments.		
15	Compare Hernandez v. State, 117 Nev. 463, 466-467, 24 P.3d 767 (2001), with Browning v.		
16	State, 120 Nev. 347, 91 P.3d 39, 50, 53 (2004), State v. Haberstroh, 119 Nev. 173, 69 P.3d 676,		
17	684 (2003).		
18	4. I ask that this Court allow Mr. Castillo to file the accompanying opening brief.		
19	5. I declare under penalty of perjury that the foregoing is true and correct and that this		
20	declaration was executed on January 31, 2011 in Las Vegas, Nevada.		
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22	Gary A. Taylor Nevada Bar No. 11031C		
23	gary_taylor@fd.org		
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1	CERTIFICATE OF SERVICE	
2	I hereby certify that this document was filed electronically with the Nevada Supreme	
3	Court on the 31st day of January 2011. Electronic Service of the foregoing APPELLANT'S	
4	MOTION TO PERMIT APPELLANT TO FILE AN OPENING BRIEF LONGER THAN	
5	EIGHTY PAGES shall be made in accordance with the Master Service List as follows:	
6		
7	Steven S. Owens Chief Deputy District Attorney	
8	Catherine Cortez Masto	
9	Attorney General	
10		
11	Katrina Manzi An employee of the Federal Public Defender's	
12	Office	
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