

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \*

NARCUS WESLEY,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.C. CASE NO. 57473


Electronically Filed  
May 07 2012 03:22 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, NARCUS WESLEY, and moves this Court for an Order granting an extension of time of two (2) days from the date the Reply Brief is now due, to wit: May 7, 2012 and extend the time to and including, May 9, 2012 for the filing of the Reply Brief. This motion is made and based upon NRAP 27 and 31(a), the Affidavit of Christopher R. Oram, Esq., filed herewith, and the Points and Authorities attached hereto.

DATED this 7<sup>th</sup> day of May, 2012.

Respectfully submitted by:

  
CHRISTOPHER R. ORAM, ESQ.  
Nevada Bar No. 004349  
520 S. Fourth Street, 2nd Floor  
Las Vegas, Nevada 89101  
(702) 384-5563

Attorney for Appellant  
NARCUS WESLEY

## POINTS AND AUTHORITIES

### Time for Serving and Filing Briefs.

The appellant shall serve and file the OPENING brief within one hundred and twenty (120) days after the date on which the appeal is docketed in the Supreme Court. The respondent shall serve and file his answering brief within thirty (30) days after service of the brief of the appellant. After service of respondent's brief, any OPENING brief must be served and filed within thirty (30) days. . . . By written stipulation timely filed with the Supreme Court, the parties may extend the time for filing any brief for a total of thirty (30) additional days unless the court otherwise orders. Applications for extensions of time beyond that to which the parties are permitted to stipulate are not favored, and will be considered only on motion for good cause clearly shown, or ex parte in cases of extreme and unforeseeable emergency. The Supreme Court may shorten the periods prescribed above for serving and filing briefs, either by rule for all cases or for classes of cases, or by order for specific cases."

Mr. Wesley's Reply Brief is currently due on May 7, 2012. In the instant case, it has become extremely necessary to submit this extension for additional time. The undersigned is only asking for two (2) days, until May 9, 2012, to file Mr. Wesley's Reply Brief.

The undersigned realizes that this Court has previously explained that additional extensions would only be granted upon a showing of extraordinary circumstances and extreme need, and that counsel's case load would not be deemed such a circumstance. Although this extension is not based upon an extraordinary circumstance, it is extremely needed.

The undersigned has been working diligently to submit an Opening Brief on May 2, 2012, comprising of over eighty (80) pages in Jason McCarty v. State of Nevada, 58101, a capital murder case. Additionally, on May 7, 2012 (the same day Mr. Wesley's Reply Brief is due), the undersigned submitted Reply Briefs in State of Nevada v. Donald Estes, (58193) and State of Nevada v. Jim Holden, (58143).

The undersigned could have rushed to complete Mr. Wesley's Reply Brief, however, the undersigned would appreciate an extension of two (2) days in order to properly reply to Mr. Wesley's issues. The undersigned apologizes to this Court for this additional motion for an extension of time, however, it is extremely needed.

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Therefore, counsel respectfully request that this Court permit him two (2) days, to wit,  
May 9, 2012, in order to properly brief these issues.

DATED this 1<sup>st</sup> day of May, 2012.

Respectfully submitted by:



CHRISTOPHER R. ORAM, ESQ.  
Nevada Bar #004349  
520 S. Fourth Street, 2nd Floor  
Las Vegas, Nevada, 89101

Attorney for Appellant  
NARCUS WESLEY

CHRISTOPHER R. ORAM, LTD.  
520 SOUTH 4<sup>TH</sup> STREET | SECOND FLOOR  
LAS VEGAS, NEVADA 89101  
TEL. 702.384-5563 | FAX. 702.974-0623

**AFFIDAVIT OF CHRISTOPHER R. ORAM**  
**IN SUPPORT OF MOTION FOR EXTENSION OF TIME**  
**TO FILE REPLY BRIEF**

STATE OF NEVADA        }  
COUNTY OF CLARK       } ss:

CHRISTOPHER R. ORAM, ESQ., being first duly sworn, deposes and states:

1. I am an attorney duly licensed to practice law in the State of Nevada. I am counsel for the Appellant in the above-entitled matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. Mr. Wesley's Reply Brief is currently due on May 7, 2012. In the instant case, it has become extremely necessary to submit this extension for additional time. The undersigned is only asking for two (2) days, until May 9, 2012, to file Mr. Wesley's Reply Brief.

The undersigned realizes that this Court has previously explained that additional extensions would only be granted upon a showing of extraordinary circumstances and extreme need, and that counsel's case load would not be deemed such a circumstance. Although this extension is not based upon an extraordinary circumstance, it is extremely needed.

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Therefore, counsel respectfully request that this Court permit him two (2) days, to wit, May 9, 2012, in order to properly brief these issues.

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3. That this motion is made in good faith and not for purposes of delay.

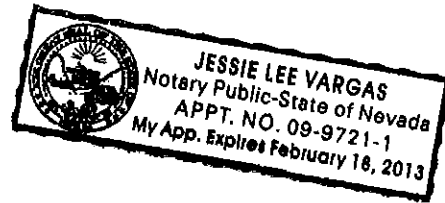
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 1<sup>st</sup> day of May, 2012.

  
CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me  
this 1<sup>st</sup> day of May, 2012.

  
NOTARY PUBLIC in and for said  
County and State



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**CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 7<sup>th</sup>, 2012. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ-MASTO  
Nevada Attorney General

STEVE OWENS  
Chief Deputy District Attorney

CHRISTOPHER R. ORAM, ESQ.

BY:

/s/ Jessie Vargas  
An Employee of Christopher R. Oram, Esq.