

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \*

JASON MCCARTY

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.C. CASE NO. 58011  
Electronically Filed  
Aug 04 2011 10:08 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, JASON MCCARTY, and moves this Court for an Order granting an extension of time of ninety (90) days from the date the Opening Brief is now due, to wit: August 4, 2011, and extend the time to and including, November 2, 2011, 2011 for the filing of the Opening 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 4<sup>th</sup> day of August, 2011.

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  
JASON MCCARTY

**POINTS AND AUTHORITIES**

Time for Serving and Filing Briefs.

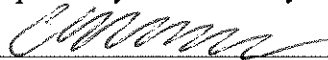
The appellant shall serve and file the OPENING brief within one hundred and twenty (120) days after the date on which the appeal is docketed in the Supreme Court. The respondent shall serve and file his answering brief within thirty (30) days after service of the brief of the appellant. After service 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. McCarty's Opening Brief is currently due on August 4, 2011. This is the first request for an extension of time. The instant case is an appeal from a murder conviction, and Mr. McCarty is sentenced to death. Mr. McCarty's trial lasted twenty-three full days.

Therefore, Counsel respectfully request that this Court permit him ninety (90) days in order to properly brief these issues.

DATED this 4<sup>th</sup> day of August, 2011.

Respectfully submitted by:

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

Attorney for Appellant  
JASON MCCARTY

**AFFIDAVIT OF CHRISTOPHER R. ORAM**  
**IN SUPPORT OF MOTION FOR EXTENSION OF TIME**  
**TO FILE OPENING 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. McCarty's Opening Brief is currently due on August 4, 2011. This is the first request for an extension of time. The instant case is an appeal from a murder conviction, and Mr. McCarty is sentenced to death. Mr. McCarty's trial lasted twenty-three full days.

3. Therefore, Counsel respectfully request that this Court permit him ninety (90) days in order to properly brief these issues.


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

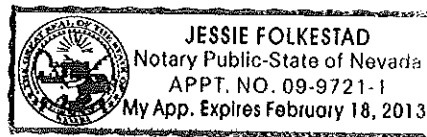
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 4<sup>th</sup> day of August, 2011.

  
CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me  
this 4<sup>th</sup> day of August, 2011.

  
NOTARY PUBLIC in and for  
said County and State



**CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on August 4, 2011. 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 Folkestad  
An Employee of Christopher R. Oram, Esq.