

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON DUVAL MCCARTY,
Appellant,
v.
THE STATE OF NEVADA,
Respondent.

Electronically Filed
Apr 18 2016 03:04 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 58101

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, RYAN J. MACDONALD, and moves this Court for an enlargement of time within which to file Respondent's Petition for Rehearing. This motion is based on the following memorandum, and all papers and pleadings on file herein.

Dated this 18th day of April, 2016.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar # 001565

BY */s/ Ryan J. MacDonald*

RYAN J. MACDONALD
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MEMORANDUM

I, RYAN J. MACDONALD, am the Deputy assigned to the above-captioned case. This is a direct appeal from a Judgment of Conviction in a Death Penalty case, which was reversed and remanded by this Court in a published Opinion on March 31, 2016. The State intends to pursue a Petition for Rehearing of that Opinion, but given the complexities and profile of the case, a short extension of the time to file is requested. Currently, such a petition would be due on April 18, 2016. NRAP 40(a)(1). The State hereby requests a 10-day extension of time, staying Remittitur and making its petition due by May 2, 2016. This motion is made in good faith and not for purposes of undue delay.

I declare under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

Dated this 18th day of April, 2016.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Ryan J. MacDonald*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on April 18, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

CHRISTOPHER R. ORAM, ESQ.
Counsel for Appellant

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Deputy District Attorney

BY /s/ E.Davis
Employee, District Attorney's Office

RJM//ed