

● ORIGINAL ●

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IN THE SUPREME COURT OF THE STATE OF NEVADA

01 APR 27 PM 4:06

ZANE MICHAEL FLOYD,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Case No. 36752

**FILED**

MAY 01 2001

JY JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

AFFIDAVIT IN RESPONSE TO ORDER OF APRIL 17, 2001

COMES NOW Appellant, ZANE MICHAEL FLOYD, by and through  
his attorney ROBERT L. MILLER, Deputy Public Defender, and files the  
attached Affidavit in Response to the Order of April 17, 2001.

DATED this 27th day of April, 2001.

MORGAN D. HARRIS  
CLARK COUNTY PUBLIC DEFENDER

By

ROBERT L. MILLER  
NEVADA BAR #5607  
DEPUTY PUBLIC DEFENDER  
309 SOUTH THIRD STREET, #226  
LAS VEGAS, NEVADA 89155-2610  
(702) 455-4685

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MAY 01 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

01-07256

A F F I D A V I T

1  
2 STATE OF NEVADA           )  
                                  ) ss:  
3 COUNTY OF CLARK         )

4                 ROBERT L. MILLER, being first duly sworn, deposes and  
5 says:

6                 1. That Affiant is a deputy with the Clark County Public  
7 Defender's Office, and as such is the attorney assigned to represent  
8 Defendant Floyd on the present direct appeal of a capital murder  
9 conviction before the Supreme Court of Nevada.

10                2. That pursuant to this Court's Order of April 17, 2001,  
11 Affiant was to have Appellant's Opening Brief filed on or before  
12 April 27, 2001, or to show cause why sanctions should not be imposed  
13 against counsel for Appellant.

14                3. That Affiant has been working with all diligence on  
15 the preparation of Appellant's Opening Brief. Enough work remains  
16 that the brief cannot be completed by the Court ordered date of  
17 April 27<sup>th</sup>. One additional work day is needed.

18                4. Affiant can and will have the opening brief filed on  
19 Monday, April 30<sup>th</sup>.

20                5. With all due respect, Affiant requests that the  
21 present affidavit be accepted by the Court as a showing of good  
22 cause for the delay in filing Appellant's Opening Brief, and as  
23 adequate reason why sanctions should not be imposed against counsel.

24 . . .

25 . . .

26 . . .

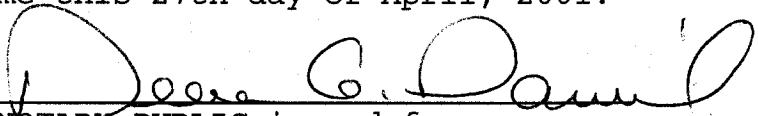
27 . . .

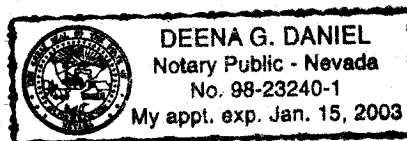
28 . . .

1                   6. Affiant's representations and the one additional day  
2 needed for brief completion are presented in good faith and not for  
3 purposes of delay.

4  
5   
Robert L. Miller

6 SUBSCRIBED AND SWORN to before  
7 me this 27th day of April, 2001.

8   
9 NOTARY PUBLIC in and for  
said County and State.



21                   RECEIPT OF A COPY of the foregoing Application for  
22 Extension of Time is hereby acknowledged this 27<sup>th</sup> day of April,  
23 2001.

24                   STEWART L. BELL  
25                   CLARK COUNTY DISTRICT ATTORNEY

26  
27 By   
28