<b>IN THE SUPREME COURT OF THE STATE OF</b>	NEVADA

THE STATE OF NEVADA,

Case No.:

Electronically Filed May 14 2012 10:23 a.m. Tracie K. Lindeman Clerk of Supreme Court 58833

Appellant, v. LACY THOMAS Respondent.

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## **MOTION FOR ENLARGEMENT OF TIME**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for an enlargement of time within which to file Appellant's Opening Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 14<sup>th</sup> day of May, 2012.

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

BY /s/ Steven S. Owens

STEVEN S. OWENS Chief Deputy District Attorney Nevada Bar #004352 Office of the Clark County District Attorney Regional Justice Center 200 Lewis Avenue, Suite 701 Las Vegas, Nevada 89155-2212 (702) 671-2500

## **MEMORANDUM**

I, STEVEN S. OWENS, am the supervising attorney in the above-captioned case. This Court may extend the time to file an Opening Brief upon a clear showing of good cause. NRAP 31(b)(3)(B).

The State's Opening Brief on the instant matter is currently due May 14, 2012. The State of Nevada filed this Appeal to challenge the district court's dismissal of an Indictment for failing to plead sufficient facts per NRS 173.075. Due to the confusion of the district court's order, a careful review and interpretation of the available documents on file is necessary. While the majority of the research is done for this Brief, the brief must be reviewed by multiple attorneys in the District Attorney's Office as this case involves high profile government actors. The State therefore submits good cause exists to extend the filing due date. The instant motion is the first request for an extension in this case.

Due to the above-described circumstances, Appellant respectfully requests this Court's permission for an extension of time of thirty (30) days to file its Opening Brief; making the Brief due to be filed on or before Wednesday, June 13, 2012. This motion is made in good faith and not for purposes of undue delay.

Dated this 14<sup>th</sup> day of May, 2012.

Respectfully submitted, STEVEN B. WOLFSON Clark County District Attorney

BY /s/ Steven S. Owens

STEVEN S. OWENS Chief Deputy District Attorney Nevada Bar #004352 Office of the Clark County District Attorney Regional Justice Center 200 Lewis Avenue Las Vegas, Nevada 89155-2212 (702) 671-2500

1	CERTIFICATE OF SERVICE
2	I hereby certify and affirm that this document was filed electronically with
3	the Nevada Supreme Court on May 14, 2012. Electronic Service of the foregoing
4	document shall be made in accordance with the Master Service List as follows:
5	
6	CATHERINE CORTEZ MASTO Nevada Attorney General
7	DANIEL J. ALBREGTS, ESQ. Counsel for Appellant
8	STEVEN S. OWENS
9 10	Chief Deputy District Attorney
10	
11	I further certify that I served a copy of this document by mailing a true and
12	correct copy thereof, postage pre-paid, addressed to:
13	FRANNY FORSMAN, ESQ. P.O. Box 43401
15	Las Vegas, NV 89116
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17	
18	BY <u>/s/ eileen davis</u> Employee, District Attorney's Office
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