

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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Electronically Filed
May 04 2012 09:31 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

5 KIRSTIN BLAISE LOBATO,)
6 Appellant,) Case No. 58913
7 v.)
8 THE STATE OF NEVADA,)
9 Respondent)

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11 **MOTION FOR EXTENSION TIME**

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13 COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark
14 County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and
15 moves this Court for an enlargement of time of thirty (30) days from May 4, 2012,
16 making said brief due June 4, 2012. This motion is based on the following
17 memorandum and all papers and pleadings on file herein.

18 Dated this 4th day of May, 2012.

19 Respectfully submitted,

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

23 BY */s/ Steven S. Owens*

24 STEVEN S. OWENS
25 Chief Deputy District Attorney
26 Nevada Bar #004352
27 Office of the Clark County District Attorney
28 200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

1 **MEMORANDUM**

2 I, STEVEN S. OWENS, am the supervising attorney in the above-captioned
3 case. This Court may extend the time to file an Answering Brief upon a clear
4 showing of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B).

5 The State’s Answering Brief on the instant matter is currently due May 4,
6 2012. A previous extension of thirty (30) days was granted. Within the last week
7 there has been a change in personnel assisting in this matter, and additional time is
8 needed for familiarization and transition given the numerous claims raised in
9 Appellant’s Opening Brief and the size of the record. Appellant’s opening brief is
10 over one hundred thirty (130) pages and addresses seventy nine (79) claims from
11 Appellant’s Petition for Writ of Habeas Corpus filed in the district court.
12 Appellant’s appendix consists of eleven (11) volumes and over two thousand
13 (2000) pages, which includes almost eight hundred (800) pages of trial transcript
14 and Appellant’s Petition, which is also almost eight hundred (800) pages. The
15 issues presented are numerous and fact intensive. The State therefore submits that
16 extraordinary circumstances and extreme need exists to extend the filing due date.

17 Due to the aforementioned circumstances, Respondent respectfully requests
18 this Court’s permission for an extension of time of thirty (30) days to file its
19 Answering Brief; making the Response due to be filed on or before Monday, June
20 4, 2012. This motion is made in good faith and not for purposes of undue delay.

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

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1 Dated this 4th day of May, 2012.

2 Respectfully submitted,

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

6 BY */s/ Steven S. Owens*

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8 Chief Deputy District Attorney
9 Nevada Bar #004352
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11 200 Lewis Avenue
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1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY AND AFFIRM that this document was filed
3 electronically with the Nevada Supreme Court on May 4, 2012. Electronic Service
4 of the foregoing document shall be made in accordance with the Master Service
5 List as follows:

6
7 CATHERINE CORTEZ MASTO
Nevada Attorney General

8 TRAVIS N. BARRICK
9 Counsel for Appellant

10 STEVEN S. OWENS
Chief Deputy District Attorney

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13
14 */s/ jennifer garcia*
15 _____
Employee, Clark County
District Attorney's Office

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25 SSO/Charles Thoman/jg
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