

1 **MEMORANDUM**

2 I, STEVEN 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 June 4,
6 2012. Two previous extensions of thirty (30) days were granted. In May 2012
7 there was a change in personnel assisting in this matter, which could not be
8 foreseen and additional time was needed for familiarization and transition given
9 the numerous claims raised in Appellant’s Opening Brief and the size of the
10 record. A draft has been completed, and after consultation, numerous revisions are
11 necessary before final submission. Appellant’s opening brief is over one hundred
12 thirty (130) pages and addresses seventy nine (79) claims from Appellant’s Petition
13 for Writ of Habeas Corpus filed in the district court. Appellant’s appendix consists
14 of eleven (11) volumes and over two thousand (2000) pages, which includes
15 almost eight hundred (800) pages of trial transcript and Appellant’s Petition, which
16 is also almost eight hundred (800) pages. Appellant was given a fifty-four (54) day
17 extension of time to file her Opening Brief on December 7, 2011. Further,
18 Appellant’s Opening Brief was rejected for failure to comply with NRAP 32(a) on
19 February 23, 2012. Appellant’s Opening Brief was ultimately filed and accepted
20 on March 5, 2012. The issues presented are numerous and fact intensive. The State
21 therefore submits that extraordinary circumstances and extreme need exists to
22 extend the filing due date.

23 Due to the aforementioned circumstances, Respondent respectfully requests
24 this Court’s permission for an extension of time of thirty (30) days to file its
25 Answering Brief; making the Response due to be filed on or before Thursday, July
26 5, 2012. This motion is made in good faith and not for purposes of undue delay.
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1 I declare under penalty of perjury the factual representations set forth in the
2 foregoing memorandum are true and correct.

3 Dated this 4th day of June, 2012.

4 Respectfully submitted,

5 STEVEN B. WOLFSON
6 Clark County District Attorney
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8 BY */s/ Steven S. Owens*

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