

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Electronically Filed
Oct 09 2012 09:00 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

KIRSTIN BLAISE LOBATO,

Petitioner,

vs.

STATE OF NEVADA,

Respondents.

Case No.: 58913

MOTION FOR LEAVE TO FILE REPLY BRIEF IN EXCESS OF PAGE LIMITS

COMES NOW, TRAVIS N. BARRICK, pro bono counsel for the Petitioner, Kirsten Blaise Lobato, and moves this Honorable Court for leave to file a Reply Brief in excess of the page limits in NRAP Rule 27 (d)(2). This motion is based upon the affidavit of Travis N. Barrick.

Dated this 8th day of October, 2012.

By: 

Travis N. Barrick, SBN 9257

Gallian Wilcox Walker

Olson & Beckstrom, LC

540 E St. Louis Avenue

Las Vegas, Nevada 89104

Attorney for Petitioner

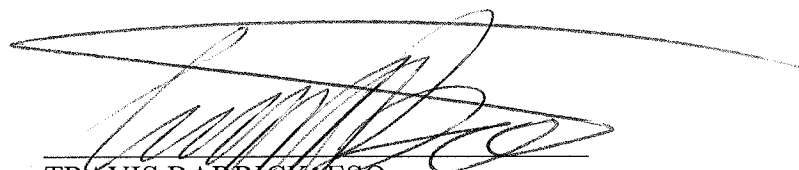
AFFIDAVIT OF TRAVIS BARRICK, ESQ.

STATE OF NEVADA)
)
COUNTY OF CLARK) ss:

I, Travis Barrick, having been first duly sworn on oath, deposes and states as follows:

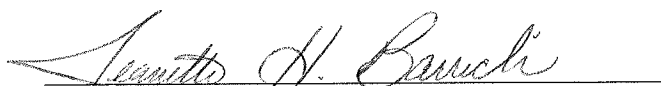
1. I am pro bono counsel of record for the Petitioner, Kirsten Blaise Lobato, in the above-referenced matter.
2. The State’s Answering Brief (i) is 94 pages, (ii) 29,625 words, (iii) 2,516 lines of text, (iv) mischaracterized the District Court Order and (v) contains extensive erroneous assertions of fact and misapplication of the law.
3. In order to fully rebut the State’s errors and omissions, it has been necessary to write a 168-page brief that cites 131 state and federal cases.
4. In addition, Ms. Lobato is compelled by case law and statute to raise and defend every issue in state court in order to preserve those issue for federal court review.
5. Further, Affiant sayeth not.

DATED this 8th day of October, 2012

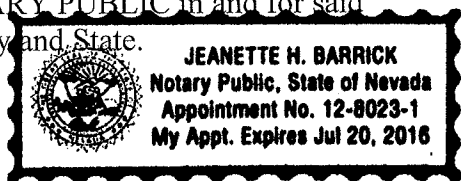


TRAVIS BARRICK, ESQ.

SUBSCRIBED and SWORN to before me this 8th day of October, 2012



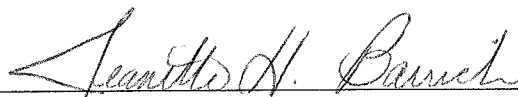
NOTARY PUBLIC in and for said
County and State.



CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 8th day of October, 2012, a copy of the foregoing upon each of the parties by hand delivery and depositing a copy of same in a sealed envelope in the U. S. mail, registered, first-class postage fully prepaid, and addressed to those counsel of record:

Steven S. Owens, Esq. District Attorney's Office 200 Lewis Avenue Las Vegas, Nevada 89155	Catherine Cortez-Masto, Esq. Office of the Attorney General 555 E. Washington Avenue, Suite 3900 Las Vegas, NV 89101
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Jeanette Barrick, An Employee of
GALLIAN, WILCOX, WELKER
OLSON & BECKSTROM LC

