

David M. Schieck  
Attorney At Law  
302 E. Carson Ave., Ste. 600  
Las Vegas, NV 89101  
(702) 382-1844

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IN THE SUPREME COURT OF THE STATE OF NEVADA

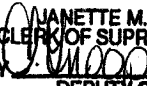
01 JUN 14 PM 2:49

\* \* \*

WILLIAM WITTER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

FILED

JUN 18 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

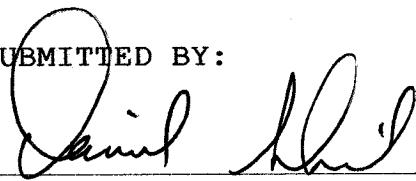
Case No. 36927

MOTION FOR EXTENSION OF  
TIME TO FILE REPLY BRIEF

COMES NOW, Appellant, WILLIAM WITTER, by and through his attorney, DAVID M. SCHIECK, ESQ., and moves this Court for an Order granting an extension of time of two weeks to file Appellant's Reply Brief up to and including June 28, 2001. This Motion is made and based upon NRAP 26(b), and the Affidavit of counsel attached hereto.

DATED this 14 day of June, 2001.

SUBMITTED BY:

  
DAVID M. SCHIECK, ESQ.  
302 E. Carson Ave., #600  
Las Vegas, Nevada 89101  
Attorney for Appellant

POINTS AND AUTHORITIES

NRAP 26(b) states as follows:

"(b) *Enlargement of time.* The court for good cause shown may upon motion enlarge the time prescribed by these rules or by its order for doing any act, or may permit an act to be done after the expiration of such time...."

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1 Appellant's Reply Brief is due on June 14, 2001. This is  
2 an appeal from denial of Post Conviction Relief in a capital  
3 case.

4 Based on the reasons set forth in counsel's affidavit  
5 attached hereto, it is requested that an extension of 2 weeks  
6 be granted to file Appellant's Reply Brief, up to and  
7 including, June 28, 2001.

8 DATED this 14 day of June, 2001.

9 Respectfully submitted,

10 By: 

11 DAVID M. SCHIECK, ESQ.  
12 302 E. Carson Ave., #600  
13 Las Vegas, Nevada 89101  
14 Attorney for Appellant

15 AFFIDAVIT OF COUNSEL

16 STATE OF NEVADA)  
17 ) ss:  
18 COUNTY OF CLARK)

19 DAVID M. SCHIECK, being first duly sworn, deposes and  
20 says:

21 That Affiant is an attorney duly licensed to practice law  
22 in the State of Nevada, and court-appointed counsel for  
23 Appellant WITTER.

24 That Appellant's Reply Brief is due on June 14, 2001.


25 That Affiant requests two weeks to file Appellant's Reply  
26 Brief as he just completed and filed Opening Briefs in Ronald  
27 Collins v. State and James Felder v. State.

28 That Affiant is also counsel of record for Roy Whitaker in

1 Whitaker adv. State, a robbery/kidnapping trial in District  
2 Court, Department XIV set to begin June 18, 2001.

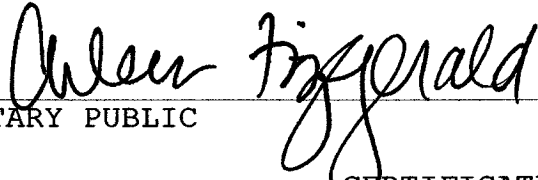
3 This Motion is made in good faith and not for the purpose  
4 of delay.

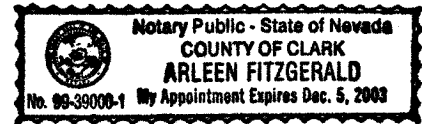
5 Further Affiant sayeth naught.

6   
7  
8 DAVID M. SCHIECK

9 SUBSCRIBED and SWORN to before me

10 this 14 day of June, 2001.

11   
12 NOTARY PUBLIC



13 CERTIFICATE OF MAILING

14 I, KATHLEEN FITZGERALD, do hereby certify that on the 14  
15 day of June, 2001, did deposit in the United States Post Office  
16 at Las Vegas, Nevada, a copy of the above and foregoing Motion,  
17 enclosed in a sealed envelope upon which first class postage  
18 was fully prepaid, addressed to the following:

19 Clark County District Attorney  
20 200 S. Third Street  
21 Las Vegas NV 89155

Nevada Attorney General  
100 N. Carson  
Carson City NV 89701-4717

22   
23 KATHLEEN FITZGERALD an employee  
24 of David Schieck, Esq.  
25  
26  
27  
28