

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

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4                                    DOMONIC MALONE,  
5                                    Appellant,  
6  
7                                    v.  
8                                    THE STATE OF NEVADA,  
9                                    Respondent.

CASE NO:

Electronically Filed  
Feb 13, 2013 10:53 a.m.  
61006  
Tracie K. Lindeman  
Clerk of Supreme Court

10                                   **MOTION FOR ENLARGEMENT OF TIME**  
11                                   **(First Request)**

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

Dated this 13<sup>th</sup> day of February, 2013.

17                                   Respectfully submitted,

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

21                                   BY /s/ Steven S. Owens

22                                   STEVEN S. OWENS  
23                                   Chief Deputy District Attorney  
24                                   Nevada Bar #004352  
25                                   Office of the Clark County District Attorney  
26                                   Regional Justice Center  
27                                   200 Lewis Avenue  
28                                   Post Office Box 552212  
                                 Las Vegas, Nevada 89155-2212  
                                 (702) 671-2500

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 showing of  
4 good cause. NRAP 31(b)(3)(B).

5 The State's Answering Brief on the instant matter is currently due on  
6 February 13, 2013. This is an appeal from Judgment of Conviction. Appellant's  
7 Appendix consists of nineteen (19) volumes of approximately three thousand nine  
8 hundred twenty-seven (3,927) pages. The instant case is an appeal from sentence  
9 of life without the possibility of parole, and Appellant has presented numerous  
10 issues that are complex and fact-intensive. Accordingly, the State's Answering  
11 Brief and Appendix requires additional time to complete.

12 The State therefore submits good cause exists to extend the filing due date.  
13 Appellant was granted three extensions of time to file his Opening Brief; however,  
14 the instant motion is the State's first request for an extension.

15 Due to the above-described circumstances, Respondent respectfully requests  
16 this Court's permission for an extension of time of THIRTY (30) days to file its  
17 Answering Brief, making the Response due to be filed on or before Friday, March  
18 15, 2013. This motion is made in good faith and not for purposes of undue delay.

19 Dated this 13<sup>th</sup> day of February, 2013.

20 Respectfully submitted,

21 **STEVEN B. WOLFSON**  
22 Clark County District Attorney

23 BY */s/ Steven S. Owens*

24 STEVEN S. OWENS  
25 Chief Deputy District Attorney  
26 Nevada Bar #004352  
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1                                    **CERTIFICATE OF SERVICE**

2            I hereby certify and affirm that this document was filed electronically with  
3 the Nevada Supreme Court on February 13, 2013. Electronic Service of the  
4 foregoing document shall be made in accordance with the Master Service List as  
5 follows:

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7                                    CATHERINE CORTEZ MASTO  
                                     Nevada Attorney General

8                                    JONELL THOMAS  
9                                    RANDALL H. PIKE  
10                                  CHARLES A. CANO  
                                     Assistant Special Public Defenders

11                                  STEVEN S. OWENS  
12                                  Chief Deputy District Attorney

13  
14  
15                                  BY /s/ eileen davis  
16                                  Employee, District Attorney's Office

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27 SSO/Kenneth Portz/ed  
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