#### IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 3 GUILLERMO RENTERIO-NOVOA, **Electronically Filed** 4 Jul 18 2013 10:37 a.m. Appellant, Tracie K. Lindeman Case Nelerk of Supreme Court 5 6 VS. 7 THE STATE OF NEVADA, 8 Respondent. 9 10 APPELLANT'S MOTION FOR EXTENSION OF TIME 11 Comes Now Appellant GUILLERMO RENTERIO-NOVOA, by and through 12 Deputy Public Defender NANCY LEMCKE, and moves for a one (1) day extension of time 13 14 from Wednesday, July 17, 2013, through and including Thursday, July 18, 2013, within which 15 to file the Opening Brief in this case. This Motion is based upon the attached Declaration of 16 counsel. 17 DATED this 17<sup>th</sup> day of July, 2013. 18 19 PHILIP J. KOHN CLARK COUNTY PUBLIC DEFENDER 20 21 22 By\_\_\_ /s/ Nancy L. Lemcke NANCY L. LEMCKE, #5416 23 Deputy Public Defender 309 So. Third Street, Suite #226 24 Las Vegas, Nevada 89155-2610 (702) 455-4685 25 26 27

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#### **DECLARATION OF NANCY L. LEMCKE**

- 1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.
- Finalizing the instant brief for submission with this Court has been exceedingly difficult and time consuming. There are numerous deficiencies in the evidence presented on certain of the 35 charges brought in this case. Articulating each such deficiency -some of which have to do with the lack of specificity regarding the dates upon which the different acts occurred and, hence, a lack of specificity as to the complainant's age at the time of certain charged acts -- has presented a very unusual challenge. Prosecutors plead a 4 year time frame within which the 35 instances of misconduct supposedly occurred. Prosecutors charged Appellant with repeatedly engaging in the same series of acts (hands on vagina; hands on anus; mouth on vagina; mouth on anus). So there are several counts alleging hand/vagina; several alleging hand/anus; several alleging mouth/vagina; and several alleging mouth/anus, in addition to a few others. Ascertaining which charge pertained to which allegation has been a very frustrating, tedious, and, at times, seemingly impossible. This made drafting the evidence sufficiency argument challenging in ways I never anticipated. Not to mention time consuming. Accordingly, I am requesting yet one more day within which to submit the instant Opening Brief.
- 3. I am mindful of this Court's disdain for delays in briefing submissions. Accordingly, my multiple requests to enlarge the time within which to submit the instant Opening Brief are not without much consideration and hesitation.