

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

JAMES CHAPPELL

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.C. CASE NO. 61967

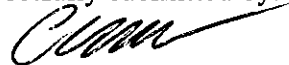
Electronically Filed
May 22 2013 03:46 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, JAMES CHAPPELL, and moves this Court for an Order granting an extension of time of ninety (90) days from the date the Opening Brief is now due, to wit: May 22, 2013, and extend the time to and including, August 20, 2013, for the filing of the Opening Brief. This motion is made and based upon NRAP 27 and 31(a), the Affidavit of Christopher R. Oram, Esq., filed herewith, and the Points and Authorities attached hereto.

DATED this 22nd day of May, 2013.

Respectfully submitted by:



CHRISTOPHER R. ORAM, ESQ.
Nevada Bar No. 004349
520 S. Fourth Street, 2nd Floor
Las Vegas, Nevada 89101
(702) 384-5563

Attorney for Appellant
JAMES CHAPPELL

1 **POINTS AND AUTHORITIES**

2 Time for Serving and Filing Briefs.

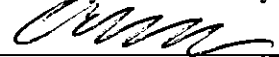
3 The appellant shall serve and file the OPENING brief within one
4 hundred and twenty (120) days after the date on which the appeal is
5 docketed in the Supreme Court. The respondent shall serve and file
6 his answering brief within thirty (30) days after service of the brief
7 of the appellant. After service of respondent's brief, any OPENING
8 brief must be served and filed within thirty (30) days. . . . By written
9 stipulation timely filed with the Supreme Court, the parties may
10 extend the time for filing any brief for a total of thirty (30)
11 additional days unless the court otherwise orders. Applications for
12 extensions of time beyond that to which the parties are permitted to
13 stipulate are not favored, and will be considered only on motion for
14 good cause clearly shown, or ex parte in cases of extreme and
15 unforeseeable emergency. The Supreme Court may shorten the
16 periods prescribed above for serving and filing briefs, either by rule
17 for all cases or for classes of cases, or by order for specific cases."

11 Mr. Chappell's Opening Brief is currently due on May 22, 2013. This is the second request
12 for an extension of time. The instant case is an appeal from a murder conviction and Mr. Chappell
13 is sentenced to death. Mr. Chappell's appendix is nearly five thousand pages. Moreover, the
14 undersigned is currently in the capital murder trial of State of Nevada v. Gregory Hover, C263551
15 which began on April 22, 2013.

16 Therefore, Counsel respectfully request that this Court permit him ninety (90) days in
17 order to properly brief these issues.

18 DATED this 22nd day of May, 2013.

19 Respectfully submitted by:

20 
21 CHRISTOPHER R. ORAM, ESQ.
22 Nevada Bar #004349
23 520 S. Fourth Street, 2nd Floor
24 Las Vegas, Nevada, 89101

25 Attorney for Appellant
26 JAMES CHAPPELL
27
28

AFFIDAVIT OF CHRISTOPHER R. ORAM
IN SUPPORT OF MOTION FOR EXTENSION OF TIME
TO FILE OPENING BRIEF

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

CHRISTOPHER R. ORAM, ESQ., being first duly sworn, deposes and states:

1. I am an attorney duly licensed to practice law in the State of Nevada. I am counsel for the Appellant in the above-entitled matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. Mr. Chappell's Opening Brief is currently due on May 22, 2013. This is the second request for an extension of time. The instant case is an appeal from a murder conviction and Mr. Chappell is sentenced to death. Mr. Chappell's appendix is nearly five thousand pages. Moreover, the undersigned is currently in the capital murder trial of State of Nevada v. Gregory Hover, C263551 which began on April 22, 2013.

3. Therefore, Counsel respectfully request that this Court permit him ninety (90) days in order to properly brief these issues.

4. That this motion is made in good faith and not for purposes of delay.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 22nd day of May, 2013.


CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me
this 22nd day of May, 2013.


NOTARY PUBLIC in and for
said County and State



CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 22, 2013. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ-MASTO
Nevada Attorney General

STEVE OWENS
Chief Deputy District Attorney

CHRISTOPHER R. ORAM, ESQ.

BY:

/s/ Jessie Vargas
An Employee of Christopher R. Oram, Esq.