

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

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3                   JAMES CHAPPELL

4                                   Appellant,

5                   vs.

6                   THE STATE OF NEVADA,

7                                   Respondent.

S.C. CASE NO. 61967

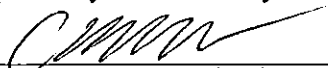
Electronically Filed  
Aug 20 2013 02:50 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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9                                   **MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF**

10                   COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, JAMES CHAPPELL,  
11 and moves this Court for an Order granting an extension of time of forty-five (45) days from the  
12 date the Opening Brief is now due, to wit: August 20, 2013, and extend the time to and including,  
13 October 4, 2013, for the filing of the Opening Brief. This motion is made and based upon NRAP  
14 27 and 31(a), the Affidavit of Christopher R. Oram, Esq., filed herewith, and the Points and  
15 Authorities attached hereto.

16                   DATED this 20<sup>th</sup> day of August, 2013.

17                                   Respectfully submitted by:

18                                     
19                                   CHRISTOPHER R. ORAM, ESQ.  
20                                   Nevada Bar No. 004349  
21                                   520 S. Fourth Street, 2nd Floor  
22                                   Las Vegas, Nevada 89101  
23                                   (702) 384-5563

24                                   Attorney for Appellant  
25                                   JAMES CHAPPELL  
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27  
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CHRISTOPHER R. ORAM, LTD.  
520 SOUTH 4TH STREET | SECOND FLOOR  
LAS VEGAS, NEVADA 89101  
TEL. 702.384-5563 | FAX. 702.974-0623

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."


18 Mr. Chappell's Opening Brief is currently due on August 20, 2013. This is the third  
19 request for an extension of time. The instant case is an appeal from a murder conviction and Mr.  
20 Chappell is sentenced to death. Mr. Chappell's appendix has been completed and is approximately  
21 five thousand pages. However, additional time is extremely necessary in order to properly  
22 complete the Opening Brief.

23 Moreover, this request is extremely needed as the undersigned was out of the country from  
24 August 1, 2013 through August 18, 2013.

25 Therefore, Counsel respectfully request that this Court permit him forty-five (45) days in  
26 order to properly complete and file the Opening Brief.

27 DATED this 20<sup>th</sup> day of August, 2013.

28 Respectfully submitted by:

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

Attorney for Appellant  
JAMES CHAPPELL

**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 August 20, 2013. This is the third 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 has been completed and is approximately five thousand pages. However, additional time is extremely necessary in order to properly complete the Opening Brief.

Moreover, this request is extremely needed as the undersigned was out of the country from August 1, 2013 through August 18, 2013.

3. Therefore, Counsel respectfully request that this Court permit him forty-five (45) days in order to properly complete and file the Opening Brief.

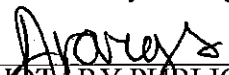
4. That this motion is made in good faith and not for purposes of delay.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 20<sup>th</sup> day of August, 2013.

  
CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me  
this 20<sup>th</sup> day of August, 2013.

  
NOTARY PUBLIC in and for  
said County and State



1 **CERTIFICATE OF SERVICE**

2 I hereby certify and affirm that this document was filed electronically with the Nevada  
3 Supreme Court on August 20, 2013. Electronic Service of the foregoing document shall be made  
4 in accordance with the Master Service List as follows:

5 CATHERINE CORTEZ-MASTO  
6 Nevada Attorney General

7 STEVE OWENS  
8 Chief Deputy District Attorney

9 CHRISTOPHER R. ORAM, ESQ.

10 BY:

11  
12 /s/ Jessie Vargas  
13 An Employee of Christopher R. Oram, Esq.  
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