

CHRISTOPHER R. ORAM, LTD.  
520 SOUTH 4TH STREET | SECOND FLOOR  
LAS VEGAS, NEVADA 89101  
TEL. 702.384-5563 | FAX. 702.974-0623

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  
Oct 04 2013 03:06 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 forty-five (45) days from the date the Opening Brief is now due, to wit: October 4, 2013, and extend the time to and including, November 18, 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 4<sup>th</sup> day of October, 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 October 4, 2013. This is the fourth  
12 request for an extension of time. The instant case is an appeal from a murder conviction and Mr.  
13 Chappell is sentenced to death. Mr. Chappell's appendix has been completed and is approximately  
14 five thousand pages. However, additional time is extremely necessary in order to properly  
15 complete the Opening Brief.

16 Additionally, the undersigned was preparing for the capital murder trial of State of Nevada  
17 v. David Burns, C267882, which was scheduled to commence on October 7, 2013, but was  
18 recently continued. The undersigned was also simultaneously preparing for the capital murder trial  
19 State of Nevada v. Prentice Marshall, C260523 which is scheduled to begin on November 18,  
20 2013.

21 The undersigned apologizes for this additional request, however, this request is extremely  
22 necessary. The undersigned needs additional time to speak with Mr. Chappell regarding this  
23 appeal and to draft the Opening Brief. Therefore, Counsel respectfully request that this Court  
24 permit him forty-five (45) days in order to properly complete and file the Opening Brief.

25 DATED this 4<sup>th</sup> day of October, 2013.

26 Respectfully submitted by:

27   
CHRISTOPHER R. ORAM, ESQ.  
Nevada Bar #004349  
520 S. Fourth Street, 2nd Floor  
Las Vegas, Nevada, 89101

28 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                    }  
COUNTY OF CLARK                } ss:

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 October 4, 2013. This is the fourth 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.

Additionally, the undersigned was preparing for the capital murder trial of State of Nevada v. David Burns, C267882, which was scheduled to commence on October 7, 2013, but was recently continued. The undersigned was also simultaneously preparing for the capital murder trial State of Nevada v. Prentice Marshall, C260523 which is scheduled to begin on November 18, 2013.

3. The undersigned apologizes for this additional request, however, this request is extremely necessary. The undersigned needs additional time to speak with Mr. Chappell regarding this appeal and to draft the Opening Brief. Therefore, Counsel respectfully request that this Court permit him forty-five (45) days in order to properly complete and file the Opening Brief.

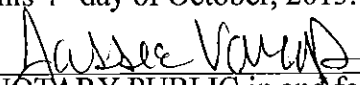
4. That this motion is made in good faith and not for purposes of delay.

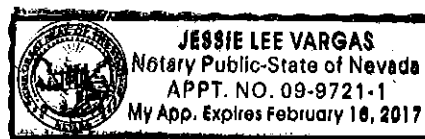
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 4<sup>th</sup> day of October, 2013.

  
CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me  
this 4<sup>th</sup> day of October, 2013.

  
NOTARY PUBLIC in and for  
said County and State



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**CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on October 4, 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.