

**GAMAGE & GAMAGE**  
William H. Gamage, Esq.  
Nevada Bar No. 009024  
5580 South Fort Apache Street, Suite 110  
Las Vegas, Nevada 89148  
Telephone: (702) 386-9529  
Facsimile: (702) 382-9529  
Attorneys for Appellant

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Mar 20 2013 02:09 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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

RICKIE SLAUGHTER, JR.

Appellant,

vs.

THE STATE OF NEVADA

Respondent.

CASE NO. : 61991

**MOTION FOR EXTENSION OF TIME TO  
FILE OPENING BRIEF AND APPENDIX  
(FIRST REQUEST)**

**COMES NOW**, Appellant RICKIE SLAUGHTER, JR. by and through appointed counsel, William H. Gamage, Esq. of Gamage & Gamage and makes this Motion For Extension of Time to File Opening Brief And Appendix (First Request) pursuant to NRAP 31. Appellant makes this Motion based upon all papers and pleadings on file with this Court, the below memorandum of points and authorities, along with any oral argument deemed necessary by this Court.

**MEMORANDUM OF POINTS AND AUTHORITIES**

Appellant requests an extension of 45 days in order to file the Opening Brief and Appendix in support thereof based upon the following:

1. On or about December 27, 2012 Appellant filed their Request For Transcript and served same on the court reporter for the trial court.

2. On or about February 16, 2013, I received emails from court reporter Peggy Isom regarding the completion of some of the transcripts for Appellants transcripts request. Follow-up

1 telephone calls during the week of February 18, 2013 with Court Reporters revealed that I would  
2 have to obtain file stamped copies through the Court Clerk's Office.

3 3. On or about that same week, my office received a telephone call from the Dept. 3 Court  
4 Reporter indicating that all transcripts were ready for pick-up at the Court Clerk's Office.

5 4. On or about March 1, 2013, I appeared at the Court Clerk's office to pick up the transcript  
6 copies and was informed that they had to be ordered as they were not ready for pick-up.  
7 Appellant counsel filled out the appropriate request forms. To date, I have not been provided  
8 copies of the requested transcripts in support of the instant appeal. Appellant Counsel will be  
9 checking back with the Court Clerk's Office today to obtain a status of the requested transcript  
10 copies.

11 5. The opening brief is set to be filed March 20, 2013 pursuant to the Court's March 5, 2013  
12 Order.

13 6. No previous extensions have been requested in this Appeal regarding the briefing  
14 schedule. Accordingly, no previous extensions have been denied in this appeal.

15 7. Based upon the above and foregoing, Appellant requests a 45 day extension of time to file  
16 the opening brief to obtain the transcripts in this matter, to prepare a draft, and to allow enough  
17 time for Appellant Counsel to visit with the Appellant so that he can pre-approve the submitted  
18 arguments which he has specifically requested that he be allowed to do.

19 8. As the Court is aware, it is Appellant's burden to produce the record in support of his case  
20 and this cannot be done without the completed transcripts in hand.

21 9. A grant of a 45 day extension would make the Opening Brief and Appendix due May 5,  
22 2013.

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1 10. This Motion is submitted in accordance with the requirements of NRAP 31(b)(3). Further,  
2 this request for extension is not made for any undue purpose such as to prejudice any party or to  
3 improperly delay these proceedings.

4 DATED THIS 20th day of March, 2013.

5 **GAMAGE & GAMAGE**

6 **/s/ William H. Gamage, Esq.**

7 \_\_\_\_\_  
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Attorneys for Appellant

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14 **DECLARATION OF WILLIAM H. GAMAGE, ESQ.**

15 COUNTY OF CLARK           )  
16                                       ) ss:  
17 STATE OF NEVADA           )

18 I, William H. Gamage, Esq, being duly sworn deposes and states under penalty of perjury  
19 that I am above the age of 18 years and offer the following information for which I am competent  
20 to testify:

- 21 1. I am a Nevada licensed attorney certified to practice in all Nevada Courts.
- 22 2. That I was appointed to represent Rickie Slaughter in his above titled appeal.
- 23 3. On or about December 27, 2012 Appellant filed their Request For Transcript and  
24 served same on the court reporter for the trial court.
- 25 4. On or about February 16, 2013, I received emails from court reporter Peggy Isom  
26 regarding the completion of some of the transcripts for Appellants transcripts request. Follow-up  
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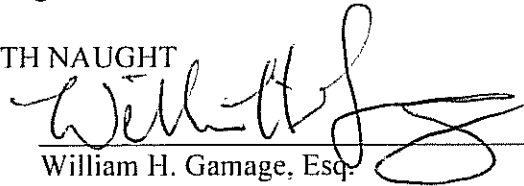
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23 his case and this cannot be done without the completed transcripts in hand.

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1           12.     This Motion is submitted in accordance with the requirements of NRAP 31(b)(3).  
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3 party or to improperly delay these proceedings.

4           FURTHER DECLARANT SAYETH NAUGHT

5   
6 William H. Gamage, Esq.

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8                           **CERTIFICATE OF SERVICE**

9           I hereby certify that on the 20th day of March, 2013, I served a true and correct copy of  
10 the above and foregoing **Motion For Extension of Time to File Opening Brief And Appendix**  
11 **(First Request)** via first-class mail, postage prepaid, addressed to the following:

12           STEVEN B. WOLFSON  
13           District Attorney's Office  
14           200 E. Lewis Ave.  
             Las Vegas, NV 89011

             CATHERINE CORTEZ MASTRO  
             State Attorney General's Office  
             100 North Carson Street  
             Carson City, Nevada 89701-4717

15           RICKIE SLUAGHTER JR.  
16           #85902  
17           22010 Cold Creek Road  
             Indian Springs, Nevada 89070

18  
19                           /s/ William H. Gamage, Esq.

20                           \_\_\_\_\_  
                             Employee of GAMAGE & GAMAGE