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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 PETITION FOR REHEARING  
(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 Petition for Rehearing (First Request) pursuant to NRAP 40(a)(1) and NRAP 40A(b). 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 30 days in order to discuss the merits of filing a Petition for Rehearing or for en banc reconsideration based upon the following:

1. On or about March 12, 2014, this court entered a final decision regarding the instant appeal.

2. On or about March 25, 2014, Counsel in the course of business sent a closing letter to Appellant regarding the decision.

1           3. On or about April 3, 2014, Counsel received a telephone call to his office which was  
2 received by staff that Appellant wanted a Petition for Reconsideration filed.

3           4. Appellant has requested substantial participation in the management of his appeal in the  
4 past.

5           5. As the Court is aware, security procedures, lockdown orders, and other similar  
6 circumstances can hinder the ability of inmates to communicate with counsel.

7           6. Furthermore, the time periods for reconsideration (18 days without 3 days for mailing and  
8 10 days without 3 days for mailing) are extremely short considering the time necessary to arrange  
9 communications with persons in the custody of the Nevada Department of Corrections. NRAP  
10 40(a)(1) and NRAP 40A(b).

11           7. Further, counsel did not mail the Order of Affirmance to Appellant until March 25, 2014.

12           8. Counsel is aware that the Court's order dated March 12, 2014 is a final order for purposes  
13 of exhaustion of state remedies in subsequent federal proceedings.

14           9. Consequently, Counsel requests this 30 day period in order to arrange a face to face visit  
15 with Appellant to discuss the merits (or lack thereof) of panel reconsideration or en banc  
16 reconsideration. Arranging meeting with persons in the prison system can take some time based  
17 upon prison security procedures and counsel's schedule when handling numerous indigent  
18 appellate and post conviction cases in both the federal and state court systems.

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1 10. Lastly, communication with the client is a pinnacle feature in providing effective  
2 assistance of counsel under the Constitution.

3 11. Counsel makes this request in good faith and not for purposes of delay or for any undue  
4 purpose.

5 12. This Motion is offered in the form of a Declaration. Counsel makes the statements in the  
6 above and foregoing Motion under penalty of perjury under the laws of the State of Nevada.

7 DATED THIS 3rd day of April, 2014.

8 **GAMAGE & GAMAGE**

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

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17 Attorneys for Appellant  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of April, 2014, I served a true and correct copy of the above and foregoing Motion For Extension of Time to File Petition for Rehearing (First Request) via first-class mail, postage prepaid, addressed to the following:

STEVEN B. WOLFSON  
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/s/ William H. Gamage, Esq.

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Employee of GAMAGE & GAMAGE