

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

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JEMAR MATTHEWS, vs. THE STATE OF NEVADA,	Appellant, Respondent,	Supreme Court No. 62241 Electronically Filed May 24 2013 09:49 a.m. Tracie K. Lindeman Clerk of Supreme Court MOTION TO EXTEND TIME TO FILE OPENING BRIEF & APPENDIX (FIRST REQUEST)
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10 **MOTION TO EXTEND TIME TO FILE OPENING BRIEF & APPENDIX**

11 **(FIRST REQUEST)**

12 **WILLIAM H. GAMAGE, ESQ.**
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20 *Counsel for Appellant MATTHEWS*

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27 *Counsel for Respondent*

28 **CATHERINE CORTEZ MASTO, ESQ.**
 ATTORNEY GENERAL
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 Counsel for State of Nevada

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11 **(FIRST REQUEST)**

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13 **COMES NOW**, Appellant JEMAR MATTHEWS by and through appointed
14 counsel, William H. Gamage, Esq. of Gamage & Gamage and hereby files this Motion
15 To Extend Time To File Opening Brief & Appendix (First Request). Appellant's
16 Opening Brief is currently scheduled for filing on May 23, 2013. This Motion is made
17 and based upon Rule 26 of the Nevada Rules of Appellate Procedure, all papers on file
18 herein, the attached Declaration of William H. Gamage, Esq., and the following:
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- 20 1. This motion is made in good faith, and not for purposes of delay.
- 21 2. This is the first request for an extension of time to file Appellant's
- 22 Opening Brief.
- 23 3. Counsel for Appellant Jemar Matthews was appointed for purposes of
- 24 handling this appeal on or about January 22, 2013.
- 25 4. Counsel has gathered all necessary documents for the appeal after
- 26 having received the last set of files on or about the second week of April. All
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1 transcripts related to Appellant's transcript request have been produced and received
2 by Appellant.

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4 5. Counsel for Appellant has interviewed prior counsel and family
5 members of Appellant related to this matter and now must meet with Jemar Matthews
6 in order to counsel him on the nature of his case and the issues at stake.

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8 6. Based upon Appellant Jemar Matthews holding status at Southern Desert
9 State Prison (along with his visitation days) and counsel's case and trial schedule,
10 difficulties have been experienced in meeting with his client to confer on his case.
11 Appellant Matthews has requested via mail that he be allowed to speak with counsel
12 prior to the filing of the instant opening brief and appendix.
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14 7. Accordingly, good cause appearing and for the reasons mentioned in the
15 foregoing Declaration of William H. Gamage, Esq., it is hereby requested that the
16 Appellant be granted a thirty two (32) day extension of time to and including Monday
17 June 24, 2013, within which to file the Appellant's Opening Brief, Appendix and to
18 serve opposing counsel.
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8. I declare that the above and foregoing statements are true and correct to the best of my knowledge and that these statements are made under penalty of perjury according to the laws of the State of Nevada.

Dated this 23rd day of May, 2013.

GAMAGE & GAMAGE

/s/ William H. Gamage

William H. Gamage, Esq.
Nev. Bar No. 9024
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5580 South Fort Apache, Ste 110
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1 **CERTIFICATE OF MAILING**

2 I hereby certify that on the 23rd day of May, 2013, a true and copy of above and
3 foregoing MOTION TO EXTEND TIME TO FILE OPENING BRIEF & APPENDIX
4 (First Request) was served on all counsel via the Court's electronic filing system to all
5 counsel of record listed below:
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<p>9 STEVEN WOLFSON Clark County District Attorney 200 Lewis Avenue Las Vegas, Nevada 89155 10 (702) 671- 2501 11 (702) 455-2294 12 <i>Respondent</i></p>	<p>CATHERINE CORTEZ MASTO, ESQ. ATTORNEY GENERAL 100 N. Carson Street Carson City, Nevada 89701- 4717 (775) 684-1100</p>
<p>13 JEMAR MATTHEWS Inmate No. 1014654 Southern Desert State Prison PO Box 208 Indian Springs, Nevada 89070</p>	

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18 /s/ William H. Gamage, Esq.

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20 An Employee of GAMAGE & GAMAGE
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