## IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 3 Electronically Filed JAQUEZ DEJUAN BARBER, Apr 22 2013 02:15 p.m. 5 Tracie K. Lindeman Appellant, Case No. 6262 Supreme Court 6 VS. 7 THE STATE OF NEVADA, 9 Respondent. 10 11 APPELLANT'S MOTION FOR EXTENSION OF TIME 12 TO FILE FAST TRACK STATEMENT 13 Comes Now Appellant JAQUEZ DEJUAN BARBER, by and 14 through Deputy Public Defender SHARON G. DICKINSON, and moves for a 16 sixty-five (65) day extension of time from Monday, April 22, 2013, through and 17 including Wednesday, June 26, 2013, within which to file the Fast Track 18 19 Statement in this case. This Motion is based upon the attached Declaration of 20 counsel. 21 DATED this 22<sup>nd</sup> day of April, 2013. 22 23 PHILIP J. KOHN 24 CLARK COUNTY PUBLIC DEFENDER 25 26 27

Deputy Public Defender

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## **DECLARATION OF SHARON G. DICKINSON**

- 1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.
- 2. This is my second request for a continuance. Previously the Court granted a continuance for a court reporter.
- 3. Since my last request for a continuance we received the missing transcript of 12/14/10. Also, I spoke to the trial attorney and learned that the defense attorney never filed a written acknowledgment or waiver of the defendant's right to a speedy trial as requested by the court on 12/14/10. I further learned that the defendant was initially brought to juvenile court on this case on or about 03/05/09. Thus, the delay in the speedy trial was significant and I will need to review the juvenile file to determine the length of the delay.
- 4. Mr. Barber's defense counsel in juvenile court informed me that I need to make an appointment with her to review the Mr. Barber's file. Apparently, even though I am Mr. Barber's attorney, I am not allowed to view it on my own. Thus, I need an extension to set aside time to look at his file and decide what, if any, portions of his file are relevant for his current case. I also decided to order the transcript of his certification hearing because his attorney indicated he waived the hearing.

5. Mr. Barber called me twice in the past 2 weeks. He informed me
that he read the transcripts that I sent him and that some of them are incorrect. Mr
Barber said that some of the transcripts inaccurately reflect what he said and in
other transcripts his statements to the court are incomplete. I asked him to write
down and send me a list of all the mistakes he found in the transcripts. Once
receive his information, I will need to speak to the court reporter or recorder to
confirm the mistakes and request changes if the transcripts I currently have are
inaccurate.

- 6. I informed Mr. Barber that it may take me at least 60 days to review the errors and change them if they are truly errors. Mr. Barber has no objection to a continuance of the filing of his Fast Track Statement.
- 7. Based on the above, I am asking for an extension of 65 days within which to complete Mr. Barber's Fast Track Statement. During the time period that I am working on his appeal, I will be out of the office for one week in May and therefore need additional time.
- 8. This Motion for Extension is made in good faith and not for the purpose of delay.
- I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 22<sup>nd</sup> day of April, 2013.

SHARON G DICKINSON

## **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the
Nevada Supreme Court on the 22 <sup>nd</sup> day of April, 2013. Electronic Service of the
foregoing document shall be made in accordance with the Master Service List as
follows:

CATHERINE CORTEZ MASTO STEVEN S. OWENS

SHARON G. DICKINSON HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to: JAQUEZ DEJUAN BARBER, NDOC No: 1039024, c/o High Desert State Prison, P.O. Box 650,

BY

Indian Springs, NV 89070.

Employee, Clark County Public Defender's Office