

1   **IN THE SUPREME COURT OF THE STATE OF NEVADA**  
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3  
4 BENNETT GRIMES, )  
5   Appellant,        )  
6   vs.    )  
7 THE STATE OF NEVADA,   )  
8   Respondent.    )  
9

Electronically Filed  
Jun 18 2013 03:31 p.m.  
Tracie K. Lindeman  
Case No. 02835  
Clerk of Supreme Court

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11   **APPELLANT’S MOTION FOR EXTENSION OF TIME DUE TO**  
12   **REASSIGNMENT OF CASE TO NEW APPELLATE DEPUTY**

13   Comes Now Appellant BENNETT GRIMES, by and through Deputy  
14 Public Defender HOWARD S. BROOKS, and moves for a sixty-one (61) day extension  
15 of time from Wednesday, June 19, 2013, through and including Monday, August 19,  
16 2013, within which to file the Fast Track Statement in this case. This Motion is based  
17 upon the attached Declaration of counsel.  
18

19   DATED this 18<sup>th</sup> day of June, 2013.

20   PHILIP J. KOHN  
21   CLARK COUNTY PUBLIC DEFENDER

22  
23  
24 By     /s/ Howard S. Brooks      
25   HOWARD S. BROOKS, #3374  
26   Deputy Public Defender  
27   309 So. Third Street, Suite #226  
28   Las Vegas, Nevada 89155-2610  
   (702) 455-4685

**DECLARATION OF HOWARD S. BROOKS**

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2           1. I am an attorney licensed to practice law in the State of Nevada; I am a  
3  
4 deputy public defender currently serving as Chief of the Appellate Team. I am familiar  
5 with the procedural history of this case.

6           2. This case was assigned, on March 11, 2013, to attorney David  
7  
8 Westbrook, a member of the Appellate Team at the Clark County Public Defender's  
9 Office.

10           3. The Fast Track Statement in this case is currently due to be filed on  
11  
12 Wednesday, June 19, 2013. This deadline represents the result of a motion for an  
13 extension in time filed by the court reporter and a resulting Order from the Nevada  
14 Supreme Court. As of today, the Clark County Public Defender has not sought any  
15 extensions in time to file the Fast Track Statement in this case.

16           4     David Westbrook has been re-assigned to another team within the  
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18 office, which means this case must be re-assigned to another deputy.

19           5.     Our office has hired an excellent attorney, Deborah Westbrook, to  
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21 replace David on the Appellate Team. Her employment commenced this week in the  
22 Public Defender Office and she is currently undergoing training. Her training will be  
23 complete in August.

24           6.     Because Deborah Westbrook will not be able to serve full-time on  
25  
26 the Appellate Team until August, I am requesting a 61 day continuance in the deadline to  
27 file the Fast Track Statement in this case. Such an extension will allow her to work on  
28 this appeal while also completing the mandatory training program all new attorneys must  
complete.

