IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 3 Electronically Filed 4 Aug 02 2013 09:35 a.m. THE STATE OF NEVADA, Tracie K. Lindeman Case No. 62931 5 Appellant, Clerk of Supreme Court 6 V. 7 ANDRE D. BOSTON, 8 Respondent. 9 10 11 MOTION FOR EXTENSION TIME First Request 12 COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark 13 County District Attorney, through his Chief Deputy, JONATHAN 14 VANBOSKERCK, and moves this Court for an extension of time within which to 15 file Appellant's Opening Brief. This motion is based on the following 16 memorandum and all papers and pleadings on file herein. 17 Dated this 2nd day of August, 2013. 18 Respectfully submitted, 19 STEVEN B. WOLFSON Clark County District Attorney Nevada Bar # 001565 20 21 22 BY/s/ Jonathan E. VanBoskerck 23 Jonathan E. VanBoskerck Chief Deputy District Attorney Nevada Bar #006528 Office of the Clark County District Attorney 24 25 200 Lewis Avenue Post Office Box 552212 26 Las Vegas, Nevada 89155-2212 (702) 671-2750 27 28

MEMORANDUM

I, JONATHAN VANBOSKERCK, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Appellant's Opening Brief is currently due August 2, 2013. This Court may extend the time to file an Opening Brief upon a clear showing of good cause. NRAP 31(b)(3). The Opening Brief has not been completed due to the volume of the case loads assigned to the deputies working on this matter. While progress has been made towards a completed draft the State is unable to file by August 2, 2013. Additionally, undersigned counsel will be out of the office for a previously scheduled two day medical procedure as well as a vacation during August 2013 Accordingly, the State requests forty-five (45) days up to and including September 16, 2013, within which to file Appellant's Opening Brief.

I declare under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

Dated this 2nd day of August, 2013.

Respectfully submitted,

STEVEN B. WOLFSON Clark County District Attorney Nevada Bar # 001565

BY /s/ Jonathan E. VanBoskerck

Jonathan E. VanBoskerck Chief Deputy District Attorney Nevada Bar #006528 Office of the Clark County District Attorney 200 Lewis Avenue Las Vegas, Nevada 89155-2212

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on August 2, 2013. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

JEV/jg

CATHERINE CORTEZ MASTO Nevada Attorney General

MARTIN HART, ESQ. Counsel for Respondent

JONATHAN E. VANBOSKERCK Chief Deputy District Attorney

/s/ j. garcia

Employee, Clark County District Attorney's Office