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Tracie K. Lindeman
Clerk of Supreme Court

CASE 62931

$$\left\{ \begin{array}{l} \\ \\ \\ \\ \\ \\ \\ \\ \end{array} \right.$$

STATE OF NEVADA

Respondent.

Third Request

DATED this 6th day of February, 2014.

By /s/Martin Hart
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MEMORANDUM OF POINTS AND AUTHORITIES

I, Martin Hart, am a duly licensed attorney in the State of Nevada and am appointed to represent Andre Boston.

Respondent's Opening Brief is currently due February 6, 2014. This Court may extend the time to file Respondent's Brief upon a showing of good cause NRAP 31(b)(3). Respondent previously requested a second extension of time which was granted until today, February 6, 2014. On January 7, 2014, I requested the extension due to a combination of workload and an extended respiratory infection. Unfortunately, on January 9, 2014 the infection resurfaced and I went through the 3rd round of antibiotics since the beginning of December 2013 and was basically bed ridden for a week and able to work very limited hours for 2 weeks. Accordingly, Respondent requests 30 days up to and including March 8, 2014, within which to file Respondent's Opening Brief.

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

DATED this 6th day of February, 2014.

Respectfully submitted

THE LAW OFFICES OF MARTIN HART LLC

BY /s/ Martin Hart
The Law Offices of Martin Hart, LLC
229 So. Las Vegas Blvd #200
Las Vegas, Nevada 89101

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2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY AND AFFIRM that this document was filed
4 electronically with the Nevada Supreme Court on February 7, 2014. Electronic
5 Service of the foregoing document shall be made in accordance with the Master
6 Service List as follows:

7 CATHERINE CORTEZ MASTO
8 Nevada Attorney General

9 STEVE WOLFSON
10 Clark County District Attorney

11 MARTIN HART
12 Counsel for Respondent

13 /s/ Martin Hart
14 Law Offices of Martin Hart, LLC
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