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

3 EVARISTO JONATHAN GARCIA,

4 Appellant,

5 vs.

6 THE STATE OF NEVADA,

7 Respondent.

Electronically Filed
Nov 07 2014 09:20 a.m.
Tracie K. Lindeman
Clerk of Supreme Court
**MOTION FOR EXTENSION OF
TIME TO FILE REPLY BRIEF**

(First Request)

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10 COMES NOW Appellant, EVARISTO GARCIA, by and through his attorney,
11 ROSS GOODMAN, ESQ., and moves this Honorable Court for an extension of time of
12 approximately thirty (30) days from November 6, 2014, up to and including December 6,
13 2014, in which to file the Reply. Counsel for the Appellant needs additional time to
14 respond to the complex analysis arising from the unique issues in this case including the
15 dismissal of part of the State's case in the midst of trial by the trial court based on want of
16 proof issues, as well as a jury verdict inconsistent with the theory of prosecution. This
17 motion is based on NRCP 26(b), declaration of counsel, and all papers and pleadings on
18 file herein. Further, this Motion is made in good faith and not for purpose of delay.
19

20 DATED this 6^h day of November, 2014.

21 Respectfully submitted,

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23 By /s/ Ross C. Goodman, Esq.
24 ROSS C. GOODMAN, ESQ.
25 Nevada Bar No. 7722
26 520 S. 4th Street, Second Floor
27 Las Vegas, Nevada 89101
28 (702) 383-5088
Attorneys for Appellant

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STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

1. That Declarant is an attorney duly licensed to practice law in the State of Nevada and was trial counsel and is NRAP 3C(b)(2) appointed appellate counsel for EVARISTO GARCIA in the present case. Declarant was trial counsel in a protracted trial that involved numerous complex issues and rulings mid-trial that impact the outcome as well as matters heard prior to the dispositive ruling which in essence struck portions of the State's case.

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on the 6th day of November, 2014. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven Wolfson
Steven Owens
Clark County District Attorney

Catherine Cortez Masto
Nevada Attorney General

/s/ Ross C. Goodman, Esq.