

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERNESTO GONZALEZ,

No. 64249

Electronically Filed
Jan 15 2015 11:37 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

_____/

MOTION FOR EXTENSION OF TIME

COMES NOW, the State of Nevada, by and through counsel, to respectfully request that this Court enter an Order extending the time in which the State may file its Answering Brief in the above-entitled matter, to and including February 13, 2015. This request is predicated on NRAP 26(b) and the attached Affidavit of Counsel.

DATED: January 15, 2015.

CHRISTOPHER J. HICKS
DISTRICT ATTORNEY

By: TERRENCE P. McCARTHY
Chief Appellate Deputy

AFFIDAVIT OF COUNSEL

STATE OF NEVADA

COUNTY OF WASHOE

I, TERRENCE P. McCARTHY, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. That your affiant is a duly licensed attorney in the State of Nevada.
2. That your affiant is requesting an extension of time from January 14, 2015, the date the State's brief was due, to February 13, 2015.
3. The due date for the answering brief was previously extended by stipulation. At that time, I fully intended to complete the brief by the new due date. However, I seriously underestimated the necessary time to complete the task. The new due date is fast upon us but I will not be done by that date. I have been diligently discharging my duties but still am not close to completing the brief. Therefore, I am requesting an additional 30 days. I do not anticipate any additional extensions.
4. I have contacted opposing counsel, Richard F. Cornell, and he has no objection to the extension.
4. It is not your affiant's custom to seek multiple extensions. On the contrary, most of my appeals get handled with no extensions at all. I intend to put other matters aside and devote my attentions primarily to preparing the brief in *Gonzalez v. State*. I do not foresee any other extensions.

5. That this motion is made in good faith and not merely for purposes of delay.

Further your affiant sayeth not.

By: TERRENCE P. McCARTHY
Chief Appellate Deputy

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on January 15, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Richard F. Cornell, Esq.

Shelly Muckel
Washoe County District Attorney's Office