

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed  
Apr 21 2015 02:45 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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ERNESTO MANUEL GONZALEZ,

CASE NO. 64249

Appellant.

v.

THE STATE OF NEVADA,

Respondent.

\_\_\_\_\_ /

**MOTION FOR ORDER FOR FILING OF OVERSIZED REPLY BRIEF**

COMES NOW, Appellant, Ernesto Manuel Gonzalez, and moves this Honorable Court for an Order approving the filing of the tendered Reply Brief, even though it is oversized at 9, 459 words.

The undersigned is very well aware of NRAP 32(a)(7)(A)(ii) and that a Reply Brief must contain no more than 7,000 words. The undersigned is also very well aware of NRAP 32(a)(D)(i), that this Court looks with disfavor on motions to exceed the applicable page limit, such motions are not routinely granted, and that the undersigned must show diligence and good cause for the granting of this Motion.

The undersigned is also well aware that the Opening Brief was 68 pages in length and contained 15,789 words, while the State's Answering Brief, filed February 12, 2015, was only 29 pages long.

However, the "diligence and good cause" in this case is based upon the following:

1. The seven issues presented in this case are fully supported by the record and a good faith presentation of existing law or a good faith argument for extension of existing law. More than that, in the opinion of the undersigned issues one, two, four, and six contain issues of first impression for Nevada;

2. Issue three may well be the strongest issue in this case; and issues five and seven certainly are very far from being frivolous.

3. In particular, it is necessary to develop issues no. two and four even more than were developed in the Opening Brief in order to represent Appellant effectively;

4. The undersigned acknowledges some serious errors on his part relative to issue no. five from the Opening Brief, and therefore a substantial amount of issue no. five has to be clarified extensively in the Reply Brief;

5. And finally, this is a high profile case for Northern Nevada and for that reason alone, could well be a case that proceeds to *en banc* oral argument. As

such, Mr. Gonzalez's positions must be briefed as thoroughly and comprehensively as possible in order for the undersigned to discharge his duties to Mr. Gonzalez.

DATED this 21 day of April, 2015.

Respectfully submitted,

LAW OFFICES OF RICHARD F. CORNELL  
150 Ridge Street, Second Floor  
Reno, NV 89501

By: \_\_\_\_\_  
Richard F. Cornell

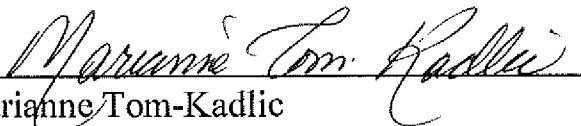
**CERTIFICATE OF SERVICE**

Pursuant to N.R.C.P. 5(b), I certify that I am an employee of LAW  
OFFICES OF RICHARD F. CORNELL, and that on this date I caused a true and  
correct copy of the foregoing document to be delivered by Reno Carson

Messenger Service, addressed to:

Washoe County District Attorney's Office  
Appellate Division  
One S. Sierra St., 7<sup>th</sup> Floor  
Reno, NV 89501

**DATED** this 21st day of April, 2015.

  
Marianne Tom-Kadlic  
Legal Assistant