

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD ERNEST LAKEMAN,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Feb 19 2015 01:43 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 64609

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, RYAN J. MACDONALD, and moves this Court for an enlargement of time within which to file the State's Answering Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 19th day of February, 2015.

Respectfully submitted,

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

BY /s/ Ryan J. MacDonald
RYAN J. MACDONALD
Deputy District Attorney
Nevada Bar #012615
Office of the Clark County District Attorney

MEMORANDUM

I, RYAN J. MACDONALD, am the supervising attorney in the above-captioned case. The State is requesting a thirty day extension of time in which to file its Answering Brief pursuant to NRAP 31.

Respondent's Answering Brief is currently due February 19, 2015. This is a direct appeal from the Judgment of Conviction. Pursuant to NRAP 31(b)(3)(B), an initial request for extension of time in a non-capital case will be granted on a clear showing of good cause. Subsequent extensions of time will not be granted except upon a showing of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B).

On January 17, 2014, Lakeman filed his first Motion for Extension of Time of 90 days. On March 6, this Court granted Lakeman's extension and ordered the Opening Brief filed by May 28, 2014. On May 9, 2014, Lakeman filed his second Motion for Extension of Time of 120 days. On May 19, 2014, this Court granted Lakeman's request and ordered the Opening Brief filed by September 24, 2014. Lakeman filed the Opening Brief on September 24, 2014, but it was stricken by this Court on October 3, 2014, as it did not meet the appropriate formatting requirements.

On October 29, the State filed a Motion to Strike Appellant's Opening Brief and Appellant's Appendix. In response, Appellant filed a Motion for leave to file an amended Appendix and Opening Brief. The Court granted Appellant's Motion.

Appellant filed an Opening Brief with six separate issues on November 18, 2014. Appellant included a 25-volume appendix consisting of 5,519 pages.

The State has made two requests for extensions of time totaling sixty days. The Answering Brief is currently due on February 19, 2015. The State makes its third request for an extension of time, citing the following as extraordinary circumstances and extreme need: The State has reviewed the record and has completed a draft of the Answering Brief. As a law clerk completed the draft, it is currently under review by the relevant trial and appellate attorneys. Due to the complexity of the case, an in-depth review process is necessary. Due to the above-described circumstances, Respondent respectfully requests this Court's permission for a third extension of time of thirty days to file its Answering Brief, making the State's response due to be filed on or before Monday, March 23, 2015. This motion is made in good faith and not for purposes of undue delay.

Dated this 19th day of February, 2015.

Respectfully submitted,

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

BY */s/ Ryan J. MacDonald*

RYAN J. MACDONALD
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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on February 19, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO
Nevada Attorney General

FREDERICK A. SANTACROCE, ESQ.
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BY /s/j. garcia
Employee,
Clark County District Attorney's Office

RJM/Genevieve Craggs/jg