

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEANGELO R. CARROLL,) No. 64757

Appellant,)

v.)

THE STATE OF NEVADA,)

Respondent.)
_____)

Electronically Filed
Apr 22 2016 02:12 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME
TO FILE A PETITION FOR REHEARING
(First Request)

Pursuant to NRAP 26(b)(1)(A) & 40(a)(1), appellant Deangelo R. Carroll moves for a 30-day extension of time to file a petition for rehearing. This is Carroll's first request for an extension. The current deadline for filing a petition for rehearing is April 25, 2016.¹ If this motion is granted, the petition will be due May 25, 2016.

Points and Authorities

The time for filing a petition for rehearing may be enlarged by court order. *See* NRAP 40(a)(1); *see also* NRAP 26(b)(1)(A) (for good cause the court

¹ The opinion in this case was entered on April 7, 2016. A petition for rehearing may be filed within 18 days after the filing of the appellate court's decision, unless the time is shortened or enlarged by court order. *See* NRAP 40(a)(1). The current deadline therefore is April 25, 2016.

may extend the time prescribed by the rules of appellate procedure to perform any act). Good cause exists to enlarge the time in this case.

I, Mario D. Valencia, court-appointed counsel for Carroll, am a sole practitioner and have had my own law practice for 14 years, however, I am in the process of closing down my business because of financial hardship. The financial hardship is mostly a result of handling court-appointed post-conviction cases in state court where I'm not allowed to bill on a monthly, or even regular (e.g., quarterly) basis; at least we're not allowed to do so in Clark County, Nevada.

And adding insult to injury, my office was burglarized on March 28, 2016. My laptop, hard drive, iPad, wallet and other business and personal belongings were stolen. I have spent an enormous amount of time over the last few weeks trying to rebuild and put together what was taken from me — identification cards, credit cards, bank account information, tax returns, the electronic files of cases on which I was working, etc.

Consequently, I have not had the opportunity to put the time required into reviewing and analyzing the court's opinion and the reasons underlying its decision. I need additional time to do that, to go back and look at the file, to research some of the possible grounds for rehearing, and to discuss all of this

with Carroll, if possible, before I file a petition for rehearing.

I have discussed the need for additional time with the State and let them know I would be filing this motion. I do not believe they are opposed to it for the reasons stated above.

Conclusion

Good cause exists to enlarge the time for Carroll to file a petition for rehearing. Thus, Carroll respectfully requests the court grant this motion and give him an additional 30 days, up to May 25, 2016, to file a petition for rehearing.

DATED: April 22, 2016.

/s/ Mario D. Valencia
MARIO D. VALENCIA
Nevada Bar No. 6154
1055 Whitney Ranch Dr., Ste. 220
Henderson, NV 89014
(702) 940-2222
Counsel for Mr. Carroll

CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on April 22, 2016. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

STEVEN OWENS
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorneys

/s/ Mario D. Valencia
MARIO D. VALENCIA