

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

DONTE JOHNSON

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.C. CASE NO. 65168

Electronically Filed
Oct 06 2014 02:36 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, DONTE JOHNSON ,
and kindly moves this Court for an Order granting an extension of time of ninety (90) days from
the date the Opening Brief is now due, to wit: October 6, 2014, and extend the time to and
including, January 5, 2015, for the filing of the Opening Brief. This motion is made and based
upon NRAP 27 and 31(a), the Affidavit of Christopher R. Oram, Esq., filed herewith, and the
Points and Authorities attached hereto.

DATED this 6th day of October, 2014.

Respectfully submitted by:

/s/ Christopher R. Oram, Esq.
CHRISTOPHER R. ORAM, ESQ.
Nevada Bar No. 004349
520 S. Fourth Street, 2nd Floor
Las Vegas, Nevada 89101
(702) 384-5563

Attorney for Appellant
DONTE JOHNSON

1 **POINTS AND AUTHORITIES**

2 Time for Serving and Filing Briefs.

3 The appellant shall serve and file the OPENING brief within one
4 hundred and twenty (120) days after the date on which the appeal is
5 docketed in the Supreme Court. The respondent shall serve and file
6 his answering brief within thirty (30) days after service of the brief
7 of the appellant. After service of respondent's brief, any OPENING
8 brief must be served and filed within thirty (30) days. . . . By written
9 stipulation timely filed with the Supreme Court, the parties may
10 extend the time for filing any brief for a total of thirty (30)
11 additional days unless the court otherwise orders. Applications for
12 extensions of time beyond that to which the parties are permitted to
13 stipulate are not favored, and will be considered only on motion for
14 good cause clearly shown, or ex parte in cases of extreme and
15 unforeseeable emergency. The Supreme Court may shorten the
16 periods prescribed above for serving and filing briefs, either by rule
17 for all cases or for classes of cases, or by order for specific cases."

11 The Opening Brief and Appendix is currently due on October 6, 2014. This is the second
12 request for an extension of time. The undersigned is request (90) ninety days to prepare the
13 Opening Brief and Appendix. It is essential the undersigned be granted additional time. As the
14 instant case is capital, the case is complex and voluminous. Mr. Johnson has numerous complex
15 issues that must be presented. There were numerous supplemental briefs filed in the district court.

16 Moreover, this request is extremely needed as the undersigned has been preparing for and
17 begins the capital murder trial of State of Nevada v. David Burns, C267882-2, on October 20,
18 2014. The trial is expected to last five weeks.

19 Additionally, the appendix in the instant case is extremely voluminous and is expected to
20 be thousands of pages. Therefore it is essential the undersigned be permitted more time.

21 Therefore, counsel respectfully request that this Court permit him ninety (90) days, to wit:
22 January 5, 2015, in order to prepare and submit the Opening Brief and appendix.

23 DATED this 6th day of October, 2014.

24 Respectfully submitted by:

25 /s/ Christopher R. Oram, Esq.
26 **CHRISTOPHER R. ORAM, ESQ.**
27 Nevada Bar #004349
28 520 S. Fourth Street, 2nd Floor
Las Vegas, Nevada, 89101

Attorney for Appellant
DONTE JOHNSON

AFFIDAVIT OF CHRISTOPHER R. ORAM
IN SUPPORT OF MOTION FOR EXTENSION OF TIME
TO FILE OPENING BRIEF

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

CHRISTOPHER R. ORAM, ESQ., being first duly sworn, deposes and states:

1. I am an attorney duly licensed to practice law in the State of Nevada. I am counsel for the Appellant in the above-entitled matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. The Opening Brief and Appendix is currently due on October 6, 2014. This is the second request for an extension of time. The undersigned is request (90) ninety days to prepare the Opening Brief and Appendix. It is essential the undersigned be granted additional time. As the instant case is capital, the case is complex and voluminous. Mr. Johnson has numerous complex issues that must be presented. There were numerous supplemental briefs filed in the district court.

Moreover, this request is extremely needed as the undersigned has been preparing for and begins the capital murder trial of State of Nevada v. David Burns, C267882-2, on October 20, 2014. The trial is expected to last five weeks.

Additionally, the appendix in the instant case is extremely voluminous and is expected to be thousands of pages. Therefore it is essential the undersigned be permitted more time.

Therefore, counsel respectfully request that this Court permit him ninety (90) days, to wit: January 5, 2015, in order to prepare and submit the Opening Brief and appendix.

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

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 6th day of October, 2014.

/s/ Christopher R. Oram, Esq.
CHRISTOPHER R. ORAM, ESQ.

SWORN and SUBSCRIBED before me
this 6th day of October, 2014.

/s/ Jessie Vargas
NOTARY PUBLIC in and for said
County and State

1 **CERTIFICATE OF SERVICE**

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

5 CATHERINE CORTEZ-MASTO
6 Nevada Attorney General

7 STEVE OWENS
8 Chief Deputy District Attorney

9 CHRISTOPHER R. ORAM, ESQ.

10 BY:

11
12 /s/ Jessie Vargas
13 An Employee of Christopher R. Oram, Esq.
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