

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONTE JOHNSON,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Feb 10 2015 10:32 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 65168

MOTION FOR ENLARGEMENT OF TIME

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

Dated this 9th day of February, 2015.

Respectfully submitted,

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

BY /s/ Steven S. Owens
STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

MEMORANDUM

I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due February 9, 2015. This is an appeal from the denial of Petition for Writ of Habeas Corpus (Post-Conviction). This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3). Since this is a post-conviction appeal involving an Appellant that was sentenced to the death penalty, this Court may allow an extension of up to 60 days. Nev. Sup. Ct. R. 250(7)(d).

The State requests sixty (60) days up to and including April 10, 2015, within which to file Respondent's Answering Brief. After receiving two extensions of time, Appellant filed a one hundred thirty-five (135) page Opening Brief, and a forty-three (43) volume appendix. Further, Appellant makes numerous claims that his constitutional rights were violated. Therefore, considering the length of the Opening Brief and appendix, the severity of Defendant's sentence, and the extensive constitutional issues involved, the State hereby makes this first request to extend time to allow additional time to review the appellate record and thoroughly brief Appellant's claims for this Court. This motion is made in good faith and not for the purposes of undue delay.

Dated this 9th day of February, 2015.

Respectfully submitted,

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

BY */s/ Steven S. Owens*

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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 9, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

CHRISTOPHER R. ORAM, ESQ.
Counsel for Appellant

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/ E.Davis

Employee,
Clark County District Attorney's Office

SSO/Genevieve Craggs/ed