

CHRISTOPHER R. ORAM, LTD.
520 SOUTH 4TH STREET | SECOND FLOOR
LAS VEGAS, NEVADA 89101
TEL. 702.384-5563 | FAX 702.974-0623

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 * * * * *

3 DONTE JOHNSON

4 Appellant,

5 vs.

6 THE STATE OF NEVADA,

7 Respondent.

S.C. CASE NO. 65168

Electronically Filed
Oct 23 2017 01:53 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

8
9 **MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR**
10 **REHEARING**

11 COMES NOW, Christopher R. Oram, Esq., attorney for Appellant, DONTE
12 JOHNSON, and kindly moves this Court for an Order granting an extension of time
13 of thirty (30) days from the date the Petition for Rehearing is due, to wit: October
14 23, 2017, and extend the time to and including, November 22, 2017, for the filing
15 of the Petition for Rehearing. This motion is made and based upon NRAP 27 and
16 40, the Affidavit of Christopher R. Oram, Esq., filed herewith, and the Points and
17 Authorities attached hereto.

18 DATED this 23rd day of October, 2017.

19 Respectfully submitted by:

20 /s/ Christopher R. Oram, Esq.
21 CHRISTOPHER R. ORAM, ESQ.
22 Nevada Bar No. 004349
23 520 S. Fourth Street, 2nd Floor
24 Las Vegas, Nevada 89101
25 (702) 384-5563

26 Attorney for Appellant
27 DANTE JOHNSON
28

POINTS AND AUTHORITIES

Rule 40. Petition for Rehearing, states in relevant part:

(a)(1) Time. Unless the time is shortened or enlarged by order, a petition for rehearing may be filed within 18 days after the filing of the appellate court's decision under Rule 36.

In the instant case, the Petition for Rehearing is due on October 23, 2017.

This is the first request for an extension of time to file the Petition for Rehearing.

The undersigned is requesting thirty (30) days to prepare and file the Petition for Rehearing. In the instant case, the undersigned requires additional time to review the briefing and this Court's decision. At the time this Court's decision was entered, the undersigned was in the midst of preparing for the capital murder trial of State of Nevada v. Bryan Clay, C281930. The undersigned has been preparing for and proceeded to trial on this capital case on October 23, 2017. The trial involves two counts of capital murder, where the State is alleging both victims were sexually assaulted. The case also involves a separate allegation of sexual assault and attempted murder. The undersigned has been preparing for both the trial and penalty phase of this trial. The trial is expected to last at least six weeks.

Therefore, counsel respectfully request that this Court permit him thirty (30) additional days to file the Petition for Rehearing.

DATED this 23rd day of October, 2017.

Respectfully submitted by:

/s/ Christopher R. Oram, Esq.
CHRISTOPHER R. ORAM, ESQ.
Nevada Bar #004349
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 PETITION FOR REHEARING

STATE OF NEVADA }
COUNTY OF CLARK } ss:

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. In the instant case, the Petition for Rehearing is due on October 23, 2017. This is the first request for an extension of time to file the Petition for Rehearing.

The undersigned is requesting thirty (30) days to prepare and file the Petition for Rehearing. In the instant case, the undersigned requires additional time to review the briefing and this Court's decision. At the time this Court's decision was entered, the undersigned was in the midst of preparing for the capital murder trial of State of Nevada v. Bryan Clay, C281930. The undersigned has been preparing for and proceeded to trial on this capital case on October 23, 2017. The trial involves two counts of capital murder, where the State is alleging both victims were sexually assaulted. The case also involves a separate allegation of sexual assault and attempted murder. The undersigned has been preparing for both the trial and penalty phase of this trial. The trial is expected to last at least six weeks.

Therefore, counsel respectfully request that this Court permit him thirty (30) additional days to file the Petition for Rehearing.

///

///

///

///

///

///

3. That this motion is made in good faith and not for purposes of delay.
FURTHER YOUR AFFLIANT SAYETH NAUGHT.

DATED this 23rd day of October, 2017.

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

SWORN and SUBSCRIBED before me
this 23rd day of October, 2017.

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

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on October 23, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

STEVE OWENS
Chief Deputy District Attorney

CHRISTOPHER R. ORAM, ESQ.

BY:

/s/ Bridget Ortiz
An Employee of Christopher R. Oram, Esq.