

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

MICHAEL J. SCHOFIELD,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

Electronically Filed  
Feb 02 2015 08:31 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**Case No. 65193**

(District Court Case No. C-13-287009-1)

**APPELLANT'S MOTION TO EXTEND TIME  
TO FILE OPENING BRIEF AND APPENDIX**

Comes Now Appellant Michael J. Schofield, by and through his attorney, Karen K. Wong, and moves for a forty-five (45) day extension of time, up to and including March 19, 2015, in which to file the opening brief and appendix in this case. The brief was originally due to be filed on January 2, 2015, and the time for filing was extended by stipulation to February 2, 2015. This Motion is based upon the attached Declaration of counsel.

Dated this 31<sup>st</sup> day of January, 2015.

/s/ Karen K. Wong

Karen K. Wong  
Nevada Bar No. 13284  
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*Attorney for Appellant*

## **DECLARATION OF KAREN K. WONG**

1. I am an attorney licensed to practice law in the State of Nevada.
2. I was appointed as counsel for Appellant after sentencing, for purposes of handling this appeal. Appellant began representing himself part way through trial.
3. I have reviewed the entire file I received from Appellant, including six days of trial transcripts, multiple post-trial motions, and audio files, which I previously believed had been played as exhibits during trial.
4. This week, I obtained from the State the one audio file played during trial that I thought I had been missing. After discussion with the prosecutor, however, I realized that several other audio files in my possession were not the same versions of the files played during trial. The State was unable to provide me with the files played during trial due to uncertainty about the correct versions.
5. On reviewing the legal arguments again, I now believe I need to obtain a copy of the actual exhibits from the District Court in order to present appropriately Appellant's case to this Court.
6. In addition, this case involves issues of first impression before this Court, which have required broad research into the treatment of the issues in other jurisdictions. Although my research into these issues is substantially complete, I would like additional time to ensure that the legal arguments are accurately and effectively made for the benefit of my client and this Court.

7. Finally, in estimating the amount of additional time I will need, I have taken into consideration other deadlines I have in February, including the filing of a pro bono reply brief.

8. Accordingly, I am requesting a forty-five (45) day extension of time within which to file a motion in District Court for a copy the exhibits, review the exhibits, conduct any additional research needed, and finalize the Opening Brief.

9. This Motion to Extend Time is made in good faith and not for the purpose of delay.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 31<sup>st</sup> day of January, 2015.

/s/ Karen K. Wong  
KAREN K. WONG

**CERTIFICATE OF SERVICE**

I hereby certify that, on January 31, 2015, I served a copy of the foregoing document by electronically filing the document using the Nevada Supreme Court's Electronic Filing System, upon the following counsel of record:

Catherine Cortez Masto

Steven Owens

/s/ Karen K. Wong

Karen K. Wong  
Wong Appellate Law