

1                                   IN THE SUPREME COURT OF THE STATE OF NEVADA  
2

3 MATTHEW LEON MOULTRIE,  
4

5                                   Appellant,  
6

7 vs.  
8

9 STATE OF NEVADA,  
10

11                                   Respondent.  
12

Case No.: 65390

Electronically Filed  
Sep 09 2014 10:01 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

13                                   **APPELLANT MATTHEW LEON MOULTRIE'S MOTION FOR LEAVE**  
14                                   **TO FILE FAST TRACK REPLY IN EXCESS OF FIVE PAGES**

15                                   COMES NOW appellant above named, by and through his attorney CHRIS  
16 ARABIA, Esq., who moves this Honorable Court for leave to file Appellant's Fast  
17 Track Reply containing 7 pages, exclusive of pages not to be counted, which  
18 exceeds the 5 page limit. This motion is based on NRAP 3C(e)3 and the attached  
19 unsworn declaration of CHRIS ARABIA, Esq.

20                                   DATED this 8<sup>th</sup> day of September, 2014.  
21

22                                   /s/  
23 CHRIS ARABIA, Esq.  
24 Nevada Bar #9749  
25 Law Offices of Chris Arabia, PC  
26 601 S. 10<sup>th</sup> St., Suite 107  
27 Las Vegas, NV 89101  
28 (702) 701-4391  
Attorney for Appellant Moultrie

1                                   **UNSWORN DECLARATION OF CHRIS ARABIA, Esq.**  
2                                   **IN LIEU OF AFFIDAVIT**

3           I, CHRIS ARABIA, declare under penalty of perjury and pursuant to NRS  
4 53.045 that the following is true and correct to the best of my knowledge.  
5

6           Declarant is the appointed attorney for Appellant MATTHEW LEON  
7 MOULTRIE. Declarant has contemporaneously prepared with this motion the  
8 appellant's Fast Track Reply. NRAP 3C(e)3 directs that the Fast Track Reply not  
9 exceed 5 pages. Appellant's proposed Fast Track Reply is 7 pages in length.  
10 Appellant prays that this Court grant leave to file his brief for the following  
11 reasons:  
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14           Declarant has endeavored to be as succinct as possible while balancing the  
15 need for conciseness with the important of this matter to his client and the number  
16 of substantial appeal issues present in this case.  
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19           Declarant declares and avers that this appeal follows a case with a large  
20 number of appeal issues following the preliminary hearing and a District Court  
21 hearing during which multiple allegations of egregious error by the Justice Court  
22 were put forth by the state.  
23

24           Declarant declares and avers that his request for the excess pages is  
25 reasonable, proper, and in the best interests of justice and his client. Further,  
26  
27  
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1 declarant believes that the review of the excess material in case no. 65390  
2 (Moultrie v. State) would not be unduly burdensome on the High Court and staff.  
3

4 FURTHER DECLARANT SAYETH NAUGHT.

5 EXECUTED on this 8<sup>th</sup> day of September, 2014.  
6

7 [s/]  
8 CHRIS ARABIA, Esq.  
9 Nevada Bar No. 9749

10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**  
11 **AFFIRMATION – NRS 239B.030**

12 The undersigned does hereby affirm that the preceding document,  
13 **APPELLANT’S MOTION FOR LEAVE TO FILE APPELLANT’S FAST**  
14 **TRACK REPLY IN EXCESS OF FIVE PAGES**, filed in case number 65390,  
15 does **NOT** contain the social security number of any person.  
16

17 DATED this 8<sup>th</sup> day of September, 2014.  
18

19 [s/]  
20 CHRIS ARABIA, Esq.  
21 Nevada Bar No. 9749  
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Robert Glennen, Esmeralda County District Attorney

Catherine Cortez-Masto, Nevada Attorney General

Matthew Leon Moultrie  
1701 Oak Tree Dr.  
Elko, NV

[/s/]  
CHRIS ARABIA, Esq.  
Nevada Bar No. 9749