

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

2  
3   DUJUAN DON LOOPER,

4                                   Appellant,

5   vs.

6   THE STATE OF NEVADA,

7                                   Respondent.  
8  
9  
10

11           ANTHONY P. SGRO, ESQ.

12           Nevada Bar No. 3811

13           MELINDA WEAVER, ESQ.

14           Nevada Bar No. 11481

15           PATTI, SGRO, LEWIS & ROGER

16           720 S. 7<sup>th</sup> Street, 3<sup>rd</sup> Floor

17           Las Vegas, NV 89101

18           TEL: (702) 385-9595

19           FAX: (702) 386-2737

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27  
28           ATTORNEYS FOR THE  
          PETITIONER

          STEVEN B. WOLFSON

          Clark County District Attorney

          Attn: Appellate Division

          200 Lewis Avenue 3<sup>rd</sup> Floor

          Las Vegas, NV 89101

          CATHERINE CORTEZ-MASTO

          Attorney General

          100 North Carson Street

          Carson City, NV 89701-4717

          ATTORNEYS FOR THE STATE

Supreme Court Electronically Filed  
District Court Case No. CC79279  
Jul 30 2014 09:32 a.m.

Tracie K. Lindeman

Clerk of Supreme Court

**MOTION TO EXTEND TIME TO FILE**  
**FAST TRACK STATEMENT AND**  
**APPENDIX FOR THIRTY (30) DAYS**

1 **MOTION TO EXTEND TIME TO FILE FAST TRACK STATEMENT AND APPENDIX**  
2 **FOR THIRTY (30) DAYS**

3 COMES NOW, the Appellant, DUJUAN DON LOOPER, by and through his  
4 attorneys, ANTHONY P. SGRO, ESQ. and MELINDA WEAVER, ESQ., and hereby  
5 files his Motion to Extend Time to File Fast Track Statement and Appendix for thirty  
6 (30) days to August 29, 2014. This Motion is made and based on the following  
7 argument, the affidavit of counsel, as well as the papers and pleadings on file herein.

8  
9 Dated this 29th day of July, 2014.

10  
11   
12 ANTHONY P. SGRO, ESQ.  
13 Nevada Bar No. 3811  
14 MELINDA WEAVER, ESQ.  
15 Nevada Bar No. 11481  
16 PATTI, SGRO, LEWIS & ROGER  
17 720 S. 7<sup>TH</sup> Street, 3<sup>rd</sup> Floor  
18 Las Vegas, NV 89101  
19 TEL: (702) 385-9595  
20 FAX: (702) 386-2737

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3                   **AFFIDAVIT OF MELINDA WEAVER, ESQ.**

4       STATE OF NEVADA                   )  
5   ) ss:  
6       COUNTY OF CLARK               )

7               MELINDA WEAVER, ESQ., being first duly sworn, upon oath, deposes  
8               and says:

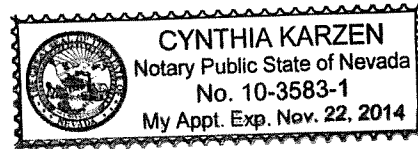
- 9  
10       1.     That I am an associate with the law firm of PATTI, SGRO, LEWIS &  
11               ROGER, which was appointed by the State to represent the Appellant,  
12               DUJUAN DON LOOPER, at the time of trial and sentencing in this matter.  
13  
14       2.     That due to the incarceration of Appellant at High Desert State Prison,  
15               counsel for the Appellant was unable to get the Fast Track Statement  
16               properly review the Fast Track Statement with the client in the limited time  
17               set for preparing the brief.  
18  
19       3.     That on July 22, 2014, this office was granted a telephonic extension to file  
20               the Fast Track Statement and Appendix in this case, rendering the date due  
21               as July 30, 2014.  
22  
23       4.     That on July 29, 2014, this office contacted the Clark County District  
24               Attorney's office, Appellate Division, to request a stipulation to an  
25               extension.  
26  
27       5.     Your affiant was informed that the District Attorney's office has not  
28               assigned a deputy to the case.

6. This motion is brought in good faith and not for the purposes of delay.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

~~MELINDA WEAVER, ESQ.~~

SUBSCRIBED AND SWORN to before  
me this 29 day of July, 2014.



NOTARY PUBLIC in and for said County and State

## ARGUMENT

Nevada Rule of Appellate Procedure 26 (b)(1) provides that, “for good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires.” In this case, good cause exists for a continuance of the time to file the Fast Track Statement and Appendix.

In this case, the Appellant has been active in participating in his defense and appellate rights. Due to time constraints, and the difficulty of counsel in consulting with the client while he is incarcerated at High Desert State Prison, it has been

1 difficult to confer with the client on the instant brief. As such, Appellant respectfully  
2 submits that good cause exists for a continuance so that the client may meaningfully  
3 consult with his counsel on the instant appeal.  
4

5 **CONCLUSION**

6  
7 The Appellant respectfully requests this Honorable Court to extend the time to  
8 file the Fast Track Statement and Appendix for thirty (30) days to August 29, 2014.

9 Dated this 29<sup>th</sup> day of July, 2014.  
10

11   
12 PATTI, SGRO, LEWIS & ROGER

13 \_\_\_\_\_  
14 ANTHONY P. SGRO, ESQ.

15 Nevada Bar No. 3811

16 PATTI, SGRO, LEWIS & ROGER

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 29<sup>th</sup> day of July, 2014, I served a true and correct  
3 copy of the foregoing document titled: MOTION TO EXTEND TIME TO FILE  
4 FAST TRACK STATEMENT AND APPENDIX FOR THIRTY (30) DAYS as  
5 indicated below:

6 ☐ Sending a copy via facsimile to the parties herein, as follows; and/or

7 ☐ Sending a copy via electronic mail; and/or

8 ☒ Placing the original in a sealed envelope, first-class, postage fully pre-paid  
9 thereon, and depositing the envelope in the U.S. mail in Las Vegas, Nevada addressed  
10 as follows:

11  
12 Steven B. Wolfson  
13 Clark County District Attorney  
14 Attn: Appellate Division  
15 200 Lewis Avenue, 3<sup>rd</sup> Floor  
16 Las Vegas, NV 89101

17 Catherine Cortez-Masto  
18 Attorney General  
19 100 North Carson Street  
20 Carson City, NV 89101-4717

21 

22 An employee of Patti, Sgro, Lewis & Roger  
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