

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

2  
3       DUJUAN DON LOOPER,  
4  
5                               Appellant,

6       vs.

7       THE STATE OF NEVADA,  
8  
9                               Respondent.

Electronically Filed  
Supreme Court Case No. 65608  
Aug 28 2014 12:37 p.m.  
District Court Case No. 6279379  
Trade K. Lindeman  
Clerk of Supreme Court

**MOTION TO EXTEND TIME TO**  
**FILE FAST TRACK**  
**STATEMENT AND APPENDIX**  
**FOR TWENTY (20) DAYS**  
**(SECOND REQUEST)**

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  
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24  
25       ATTORNEYS FOR THE  
26       PETITIONER

ATTORNEYS FOR THE STATE

1 **MOTION TO EXTEND TIME TO FILE FAST TRACK STATEMENT AND**  
2 **APPENDIX FOR TWENTY (20) DAYS (Second Request)**

3 COMES NOW, the Appellant, DUJUAN DON LOOPER, by and through  
4 his attorneys, ANTHONY P SGRO, ESQ. and MELINDA WEAVER, ESQ., and  
5 hereby files his Motion to Extend Time to File Fast Track Statement and Appendix  
6 for twenty (20) days to September 18, 2014. This Motion is made and based on the  
7 following argument, the affidavit of counsel, as well as the papers and pleadings on  
8 file herein.  
9

10 Dated this <sup>28<sup>th</sup></sup> day of August, 2014.

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15 ANTHONY P SGRO, ESQ.  
16 Nevada Bar No. 3811  
17 MELINDA WEAVER, ESQ.  
18 Nevada Bar No. 11481  
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**AFFIDAVIT OF MELINDA WEAVER, ESQ.**

STATE OF NEVADA    )

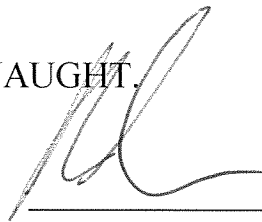
COUNTY OF CLARK    )

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

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

- 1 6. That on August 4, 2014, this office was granted an extension of thirty (30)  
2 days to file the Fast Track Statement and Appendix until August 29, 2014.  
3  
4 7. That unfortunately multiple changes were required to the brief and difficulty  
5 in contacting the client while he is incarcerated at High Desert State Prison  
6 has prevented counsel from meaningfully reviewing the changes with  
7 Appellant.  
8  
9 8. That counsel has spoken with the Appellant, who is in agreement to extend  
10 the deadline to file, so that he may meaningfully participate in the drafting of  
11 the brief.  
12  
13 9. This Motion is brought in good faith and not for the purposes of delay.

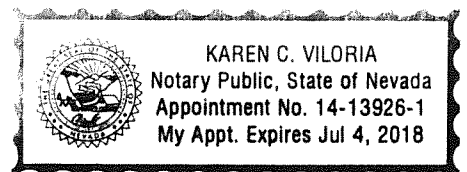
14 FURTHER YOUR AFFIANT SAYETH NAUGHT.

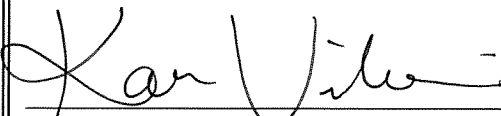


16  
17 MELINDA WEAVER, ESQ.

18 SUBSCRIBED AND SWORN to

19 before me this 28<sup>th</sup> day of August, 2014.



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23 NOTARY PUBLIC in and for said County and State  
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**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 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 difficult to confer with the client on the instant brief. As such, Appellant respectfully submits that good cause exists for a continuance so that the client may meaningfully consults with his counsel on the instant appeal.

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The Appellant respectfully requests this Honorable Court to extend the time to file the Fast Track Statement and Appendix for twenty (20) days to September 18, 2014.

Dated this 28<sup>th</sup> day of August, 2014.

PATTI, SGRO, LEWIS &amp; ROGER

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