

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

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3
4 SIAOSI VANISI,
5 Appellant,

No. 65774

Electronically Filed
Sep 29 2014 04:06 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

6 vs.

7 RENEE BAKER, WARDEN, and
8 CATHERINE CORTÉZ MASTO,
9 ATTORNEY GENERAL FOR
THE STATE OF NEVADA,

10 Respondents.

11 REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE
12 APPELLANT'S OPENING BRIEF

13 Appellant Siasos Vanisi, through counsel, hereby requests an
14 extension of time of ninety (90) days, to and including December 29,
15 2014, within which to file his opening brief. SCR 250 (7)(d); NRAP
16 31(a)(4), (b)(3). This request is supported by the attached declaration
17 of counsel.

18 Dated this 29th day of September, 2014.

19 RENE L. VALLADARES
20 Federal Public Defender

21 TIFFANI DANI HURST
22 Assistant Federal Public Defender
23 Nevada State Bar No. 11027C
24 411 E. Bonneville, Suite 250
Las Vegas, Nevada 89101
(702) 388-6577
danielle_hurst@fd.org

25 Attorneys for Appellant

1 **DECLARATION OF TIFFANI D. HURST**

2 I, Tiffani D. Hurst, declare as follows:

3 1. I am an attorney at law, admitted to practice before this
4 Court, and employed in the Capital Habeas Unit in the Law Offices of
5 the Federal Public Defender. I am assigned to represent Siaosi Vanisi
6 in this matter.

7 2. Petitioner filed his notice of appeal and on May 30, 2014.
8 Mr. Vanisi's opening brief is currently due on or before September 29,
9 2014. Counsel seeks an extension of time of ninety (90) days, up to
10 and including December 29, 2014, within which to file and serve the
11 opening brief.

12 3. I have requested a 90-day continuance because I have had
13 to file the following documents since May 30, 2014: Reply to Answer to
14 Petition in Bollinger v. Baker, USDC No. 2:98-cv-1263-MMD-PAL,
15 filed on June 19, 2014; Opposition to Motion to Dismiss in McNelson v.
16 Baker, USDC No. 2:00-cv-00284-RCJ-CWH, filed on June 27, 2014;
17 Motion for an Evidentiary Hearing in McNelson v. Baker, USDC No.
18 2:00-cv-00284-RCJ-CWH, filed on June 26, 2014; Petition for
19 Rehearing in Libby v. Nevin, Ninth Circuit No. 11-16547, filed on July
20 8, 2014; Brief in Opposition to Petition for Certiorari in Blake v.
21 Baker, USSC No. 13-1488, filed on July 7, 2014; Petition for Rehearing
22 in Nika v. Baker, NSC No. 59776, filed on August 18, 2014; Petition for
23 Rehearing in Blake v. McDaniel, NSC No. 59263, filed on August 18,
24 2014; Reply to Opposition to Motion for Evidentiary hearing in
25 McNelson v. Baker, USDC No. 2:00-cv-00284-RCJ-CWH, filed on
26 September 26, 2014; Opposition to Petition for Certiorari in Blake v.

1 Baker, USSC No.13-1488, filed on September 29, 2014; and a reply
2 brief in Crump v. Baker et al., Nev. Sup. Ct. No. 63346., filed on
3 September 29, 2014;

4 4. Additionally, during the next six weeks, I have the
5 following documents due: Petition for Rehearing in Hernandez v.
6 McDaniel, NSC No. 60254 due on October 14, 2014; reply brief in
7 Rogers v. Baker, Ninth Circuit No. 11-99009, 11-99010; to be filed on
8 or before October 17, 2014; Motion to Reconsider in Floyd v. Baker,
9 USDC No. 2:06-cv-00471-PMP-CWH due on October 20, 2014; Petition
10 for Certiorari in Libby v. Nevin due on November 3, 2014; Reply Brief
11 in Williams v. Baker, Ninth Circuit No. 13-99002 due on December 26,
12 2014. I already received a continuance in Rogers and Williams, due to
13 a medical-related absence during the month of July.

14 5. In light of the above circumstances, I seek on Mr. Vanisi's
15 behalf an extension until December 29, 2014.

16 6. Co-counsel has contacted counsel for Respondents, Terrance
17 McCarthy, and he does not object to this extension.

18 7. This request is not made solely for the purpose of delay, or
19 for any other improper purpose, but only to ensure that this office
20 provides competent representation to Mr. Vanisi. Nev. R. Prof.
21 Conduct 1.1.

22 8. I declare under penalty of perjury that the foregoing is true
23 and correct and that this declaration was executed on September 29,
24 2014 in Las Vegas, Nevada.

25 /s/Tiffani D. Hurst
26 Tiffani D. Hurst
27 Assistant Federal Public Defender
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Terrence McCarthy
Washoe County District Attorney
tmccarth@da.washoecounty.us

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