

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

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3
4 SIAOSI VANISI,
5 Appellant,

No. 65774

Electronically Filed
May 08 2015 08:39 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

6 vs.

7 RENEE BAKER, WARDEN, and
8 ADAM PAUL LAXALT,
9 ATTORNEY GENERAL FOR
THE STATE OF NEVADA,

10 Respondents.

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

13 Appellant Siaosi Vanisi, through counsel, hereby requests an
14 extension of time of sixty (60) days, to and including July 6, 2015
15 within which to file his reply brief. SCR 250 (7)(d); NRAP 31(a)(4),
16 (b)(3). This request is supported by the attached declaration of
17 counsel.

18 Dated this 7th day of May, 2015.

19
20 RENE L. VALLADARES
Federal Public Defender

21
22 RANDOLPH M. FIEDLER
Assistant Federal Public Defender
Nevada State Bar No. 12577
411 E. Bonneville, Suite 250
Las Vegas, Nevada 89101
23 (702) 388-6577
24 randolph_fiedler@fd.org
25

26 Attorneys for Appellant

1 **DECLARATION OF RANDOLPH M. FIEDLER**

2 I, Randolph M. Fiedler, 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. Mr. Vanisi's Reply Brief is currently due on May 7, 2015.
8 Counsel seeks an extension of time of sixty (60) days, up to and
9 including July 6, 2015, within which to file and serve the opening brief.

10 3. I am requesting a sixty day continuance because, since
11 April 7, 2015, when Respondents filed the answering brief, I have had
12 extensive case related responsibilities: on April 15, 2015, a
13 supplemental reply brief before the Ninth Circuit in Rogers v.
14 McDaniel, No. 11-99009; on April 23, 2015, a reply brief before the
15 Ninth Circuit in Williams v. Baker, No. 13-99002; and on April 30,
16 2015, an opening brief before the Ninth Circuit in Ybarra v. Baker, No.
17 13-17326.

18 4. Additionally, one of the lead attorneys on this case, Gary A.
19 Taylor, has recently resigned from our office. Mr. Taylor wrote
20 substantial portions of the opening brief. With his departure, in both
21 this case and others, added responsibilities have fallen to me. I need
22 additional time to draft Mr. Vanisi's reply brief.

23 5. In light of the above circumstances, I seek on Mr. Vanisi's
24 behalf an extension until July 7, 2015.

25 6. On May 7, 2015, I contacted a member of the Washoe
26 County District Attorneys Office who, on behalf of Respondents,
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28

1 indicatd no opposition to this request.

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

6 8. I declare under penalty of perjury that the foregoing is true
7 and correct and that this declaration was executed on May 7, 2015 in
8 Las Vegas, Nevada.

9 /s/ Randolph M. Fiedler
10 Randolph M. Fiedler
Assistant Federal Public Defender
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 7th day of May, 2015. Electronic Service of the foregoing Certification Under NRAP 9(a) shall be made in accordance with the Master Service List as follows:

Terrence McCarthy
Washoe County District Attorney
tmccarth@da.washoecounty.us

Felicia Darensbourg
An employee of the Federal Public
Defender, District of Nevada