IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 3 JAMES DAEVON MANNING, 4 Electronically Filed Jul 22 2014 10:56 a.m. Appellant, 5 Case No Trassign K. Lindeman Clerk of Supreme Court 6 VS. 7 THE STATE OF NEVADA, 8 Respondent. 9 10 APPELLANT'S MOTION FOR EXTENSION OF TIME 11 **DUE TO MISSING TRANSCRIPTS** 12 Comes Now Appellant JAMES DAEVON MANNING, by and through Deputy 13 Public Defender WILLIAM M. WATERS, and moves for a forty-five (45) day extension of time 14 from Tuesday, July 22, 2014, through and including Friday, September 5, 2014, within which to 15 16 file the Fast Track Statement in this case. This Motion is based upon the attached Declaration of 17 counsel. 18 DATED this 22nd day of July, 2014. 19 PHILIP J. KOHN 20 CLARK COUNTY PUBLIC DEFENDER 21 22 /s/ William M. Waters 23 WILLIAM M. WATERS, #9456 Deputy Public Defender 24 309 So. Third Street, Suite #226 25 Las Vegas, Nevada 89155-2610 (702) 455-4685 26 27 28

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DECLARATION OF WILLIAM M. WATERS

- I am an attorney licensed to practice law in the State of Nevada; I am a deputy
 public defender assigned to handle the appeal of this matter; I am familiar with the procedural
 history of this case.
- 2. Our office filed the Notice of Appeal in this matter on June 11, 2014. This case is governed by the provisions of NRAP 3C, which require the Appellant to file a Fast Track Statement 40 days after the filing of the Notice of Appeal. Accordingly, the instant Fast Track Statement is due to be filed no later than Tuesday, June 22, 2014.
- 3. I filed a Request for Rough Draft Transcripts on June 11, 2014. The reporter received the request on June 11, 2014. NRAP Rule 3C required the reporter to produce the rough draft transcript by July 1, 2014.
- 4. The original intent of NRAP 3C was to allow court reporters twenty days to file all requested transcripts, and allow trial counsel twenty days thereafter to file the fast track statement. In many cases counsel does not receive the transcripts for at least 5-7 days after they are filed.
- 5. Currently, I have received ten of the sixteen requested transcripts. The transcripts of 01/13/14, 01/14/14, 01/15/14, 02/04/14, 03/20/14 and 05/13/14 are still outstanding. Accordingly, I am requesting a forty-five day extension of time within which to prepare and file the instant Fast Track Statement. The forty-five day number constitutes a guess regarding when the court reporter actually prepares the transcripts and allows sufficient time after that for the review of the record and the writing of the Fast Track Statement.

1	6. This Motion for Extension is made in good faith and not for the purpose o
2	delay.
3	I declare under penalty of perjury that the foregoing is true and correct.
4	EXECUTED on the 22 nd day of July, 2014.
5	/s/ William M. Waters
6	WILLIAM M. WATERS
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10	<u>CERTIFICATE OF SERVICE</u>
11	I hereby certify that this document was filed electronically with the Nevad
12	Supreme Court on the 22 nd day of July, 2014. Electronic Service of the foregoing documen
13	shall be made in accordance with the Master Service List as follows:
14	CATHERINE CORTEZ MASTO WILLIAM M. WATERS
15	STEVEN S. OWENS HOWARD S. BROOKS
16	I further certify that I served a copy of this document by mailing a true and
17	correct copy thereof, postage pre-paid, addressed to:
18	
19	JAMES DAEVON MANNING NDOC No. 1030247
20	c/o High Desert State Prison P.O. Box 650
21	Indian Springs, NV 89018
22	
23	BY /s/ Carrie M. Connolly
24	Employee, Clark County Public Defender's Office
25	Detender source
26	
27	
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