

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

JAMES DAEVON MANNING,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed  
Feb 04 2016 09:01 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

CASE NO: 65856

**MOTION FOR ENLARGEMENT OF TIME**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, OFELIA MONJE, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum and all papers and pleadings on file herein.

Dated this 4<sup>th</sup> day of February, 2016.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ Ofelia Monje  
OFELIA MONJE  
Deputy District Attorney  
Nevada Bar #011663  
Office of the Clark County District Attorney

## MEMORANDUM

I, OFELIA MONJE, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

This is an appeal from the District Court's Judgment of Conviction. Respondent's Answering Brief is currently due February 4, 2016. This Court may extend the time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3).

The State requests 45 days up to and including March 21, 2016, within which to file Respondent's Answering Brief. After receiving an extension of time for a total of 30 days, Appellant filed a 32-page Opening Brief. The Court has ordered briefing specifically on whether Lisby v. State, 82 Nev. 183, 187, 414 P.2d 592, 595 (1996), should be overruled. This requires extensive review of the law in other jurisdictions, Nevada precedent, and academic research. Therefore, the State hereby makes this first request to extend time to allow additional time to review case law and thoroughly brief this issue for this Court. This motion is made in good faith and not for the purposes of undue delay.

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Dated this 4<sup>th</sup> day of February, 2016.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ Ofelia Monje*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on February 4, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT  
Nevada Attorney General

WILLIAM M. WATERS  
Deputy Public Defender

OFELIA MONJE  
Deputy District Attorney

BY /s/ E.Davis

Employee,  
Clark County District Attorney's Office

OM/Matthew Bunnett/ed