

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARLO THOMAS,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

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Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 65916

**MOTION FOR ENLARGEMENT OF TIME
(First-Request)**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, 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 4th day of December, 2014.

Respectfully submitted,

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

BY /s/ Steven S. Owens
STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

MEMORANDUM

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

Respondent's Answering Brief is currently due December 4, 2014. This is an appeal from the denial of petition for writ of habeas corpus (post-conviction). This Court may extend the time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3). Because this is a post-conviction appeal involving an Appellant that was sentenced to the death penalty, this Court may allow an extension of up to 60 days. Nev. Sup. Ct. R. 250(7)(d); NRAP 31(b)(3)(D).

The State requests sixty (60) days up to and including February 2, 2015, within which to file Respondent's Answering Brief. Appellant's Appendix is 1 volume and only includes the transcripts from the April 28, 2014, hearing, Appellant's supplemental petition and exhibits, and the district court's findings of fact issued after the denial of his post-conviction petition. Upon review, more documents are needed for complete review of Appellant's claims in this capital case, and it will take additional time to collect said documents and create an adequate appendix for this Court's review.

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Dated this 4th day of December, 2014.

Respectfully submitted,

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

BY */s/ Steven S. Owens*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on December 4, 2014. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO
Nevada Attorney General

BRET WHIPPLE, ESQ.
Counsel for Appellant

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/ E. Davis

Employee,
Clark County District Attorney's Office

SSO/William Rowles/ed