

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN DALE FARMER,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Apr 29 2015 11:08 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 65935

**MOTION FOR ENLARGEMENT OF TIME
(Second 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, declaration of counsel and all papers and pleadings on file herein.

Dated this 29th day of April, 2015.

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
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Regional Justice Center
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MEMORANDUM

I, STEVEN S. OWENS, am the supervising attorney in the above-captioned case. The State is requesting a 30 day extension of time in which to file its Answering Brief under NRAP 31(b)(3).

This is a direct appeal from a jury verdict of Sexual Assault, Indecent Exposure, and Open or Gross Lewdness. Appellant filed his Notice of Appeal on June 26, 2014 and his Opening Brief on February 27, 2015.

Appellant's Opening Brief was initially due on October 24, 2014, but the parties stipulated that the brief would be due on November 24, 2014. On November 24, 2014, Appellant filed a Motion for Extension of Time, requesting an additional 90 days in which to file his Opening Brief. This Court granted the motion, making the Opening Brief due February 23, 2015. Appellant filed his Opening Brief on February 27, 2015.

On March 29, 2015, the State requested an additional 30 days in which to file its Answering Brief. This Court granted the request, making the Answering Brief due April 29, 2015. The State now respectfully requests an additional 30 days to complete its Answering Brief.

As good cause for the extension, the State cites the following: Appellant's Opening Brief is 77 pages long and is based on an Appellant's Appendix of nearly 3,000 pages. In the Opening Brief, Appellant alleges nine claims of error, several

of which are of constitutional magnitude. An adequate response by the State requires a thorough review of the record in order to fully address Appellant's claims. Upon inquiry into the record, it has become apparent that several issues presented in Appellant's Opening Brief are more complex than anticipated, and accordingly will require more extensive research. See Appellant's Opening Brief at p. 42-45, 65-68. Appellant also presents several claims that will require careful and thorough review of the entire transcript of the 16 day jury trial. See Id. at p. 28-40, 47-69. Accordingly, the State's Answering Brief requires additional time to complete.

The State respectfully moves for an enlargement of time of 30 days, making said Answering Brief due on May 29, 2015. This will give the State sufficient time to thoroughly review and respond fully to the material in Appellant's Opening Brief. This motion is made in good faith and not for purposes of undue delay.

Dated this 29th day of April, 2015.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY /s/ Steven S. Owens

STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on April 29, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

DEBORAH L. WESTBROOK
Deputy Public Defender

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/ j.garcia
Employee, District Attorney's Office

SSO/Meryl Francolini/jg