

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 * * * * *

3 KIRK ROSS HARRISON,

4 Appellant/Cross-
Respondent,

5 vs.

6 VIVIAN MARIE LEE HARRISON,

7 Respondent/Cross-
8 Appellant.
9 _____/

Electronically Filed
Nov 02 2015 10:01 a.m.
Tracie K. Lindeman
Clerk of Supreme Court
NO. 66072

10 **MOTION FOR EXTENSION OF TIME FOR FILING REPLY BRIEF ON APPEAL,**
11 **COMBINED WITH ANSWERING BRIEF ON CROSS-APPEAL**

12 Appellant/cross-respondent Kirk Harrison hereby moves for a 30-day extension of time
13 to file the combined reply brief on appeal and answering brief on cross-appeal. This is the first
14 requested extension for the reply brief and answering brief. The combined brief is presently due
15 on November 5, 2015. Therefore, appellant/cross-respondent requests an extension until
16 December 7, 2015.

17 Significant custody motions in this case have been recently filed and briefed and are also
18 currently being filed, briefed, and argued in the trial court. Kirk's Motion for an Order to Show
19 Cause Why Defendant should not be held in Contempt for Knowingly and Intentionally
20 Violating Section 2.11 and Section 5 of the Stipulation and Order Resolving Parent/Child Issues
21 and This Court's Order of October 30, 2013 was filed August 21, 2015. After briefing and
22 argument, the trial court issued its Order From Hearing on October 1, 2015, ordering the
23 appointment of an outsourced evaluator, who specializes in alienating behavior, and ordered a
24 return hearing date of December 14, 2015. Although the trial court found that contempt had
25 been committed, the trial court deferred the contempt issues to the return hearing. The trial
26 court ordered that Kirk is to have his time with the children and Vivian has the responsibility
27 to facilitate the visitation.

1 After being further deprived of his custody time, on October 12, 2015, Kirk filed
2 Plaintiff's Motion for an Order to Show Cause Why Defendant should not be held in Contempt
3 for Knowingly and Intentionally Violating Section 5 of the Stipulation and Order Resolving
4 Parent/Child Issues and this Court's Order of October 1, 2015. On October 15, 2015, Vivian
5 filed her Motion for Clarification; Motion to Amend Findings; Opposition to Ex Parte Motion
6 for Expedited Hearing. Kirk's opposition to this motion is due November 2, 2015.

7 All of these matters have been extremely time-consuming for Kirk, preventing him from
8 assisting counsel Eisenberg in preparation of the reply/answering brief. Additionally, the issues
9 on appeal in this docket are unusual and complex. Kirk Harrison and his counsel are unable
10 to complete the brief within the present deadline.

11 Accordingly, we request a 30-day extension of time for the reply/answering brief, with
12 a new due date of December 7, 2015.

13 This motion is being submitted in good faith, and without the intent to cause undue delay
14 in the appeal.

15
16 DATED: Nov. 2, 2015

17
18 LEMONS, GRUNDY & EISENBERG

19 By: Robert L. Eisenberg
20 ROBERT L. EISENBERG
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22 Reno, Nevada 89519
23 775-786-6868
24 rle@lge.net

25 ATTORNEYS FOR APPELLANT/
26 CROSS-RESPONDENT KIRK HARRISON
27
28

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of Lemons, Grundy & Eisenberg and that on this date the
3 foregoing was filed electronically with the Clerk of the Nevada Supreme Court, and therefore
4 electronic service was made in accordance with the master service list as follows:

5 Edward L. Kainen
6 Thomas J. Standish
7 Radford J. Smith
8 Gary R. Silverman
9 Mary Anne Decaria

10 I further certify that on this date I served a copy of this notice, postage prepaid, by U.S.
11 Mail to:

12 Kirk Harrison
13 1535 Sherri Lane
14 Boulder City, Nevada 89005

15 Settlement Judge Lansford Levitt
16 4747 Caughlin Parkway
17 Suite 6
18 Reno, Nevada 89519

19 DATED: November 2, 2015

20 Margie Nini