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CORY DEALVONE HUBBARD

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IN THE SUPREME COURT OF THE STATE OF NEVADA

CORY DEALVONE HUBBARD,)	
)	Case No.: 66185
Appellant,)	
)	<u>REQUEST FOR ADDITIONAL</u>
vs.)	<u>TIME TO FILE APPELLANT'S</u>
)	<u>SUPPLEMENTAL BRIEF</u>
THE STATE OF NEVADA,)	<u>RESPONSIVE TO THE</u>
)	<u>OCTOBER 21, 2016 ORDER</u>
Respondent.)	
_____)	(First Request)

COMES NOW Appellant, CORY DEALVONE HUBBARD, by and through his attorney of record, BRENT D. PERCIVAL, ESQ., of the law office of Brent D. Percival, Esq. P.C. and hereby respectfully submits the present Request for Additional Time to File Appellant's Supplement Brief Responsive to October 21, 2016 Order in the above-captioned matter.

Mr. HUBBARD's supplemental pleading is due to be filed on November 10, 2016.

Pursuant to N.R.A.P. 26(b), Mr. HUBBARD requests an additional thirty (30) days of time to file his Supplement Brief. If this Honorable Court grants this request, Mr. HUBBARD's brief will be due to be filed on or before December 10, 2016.

This request for additional time is made and based upon the entirety of the pleadings and papers presently on file herein and upon the declaration of Brent D. Percival, Esq. which is attached to this Request.

DATED this 10th day November, 2016.

Respectfully Submitted,

/s/ Brent D. Percival
BRENT D. PERCIVAL, ESQ.
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Counsel for Appellant:
CORY DEALVONE HUBBARD

**DECLARATION OF BRENT D. PERCIVAL IN SUPPORT OF REQUEST
FOR ADDITIONAL TIME TO FILE THE RESPONSE TO THE STATE'S
PETITION FOR REVIEW**

BRENT D. PERCIVAL, knowing the penalties for perjury, does state the following under penalty of perjury:

1. I am attorney licensed to practice in the state of Nevada, before the U.S. District Courts in and for the States of Nevada and Kansas. I have been so licensed within the State of Nevada since approximately November 18, 1988.

2. On October 21, 2016, the majority of the this Court granted, in part, the State's Petition for Review by Supreme Court. The October 21, 2016 Order requires further briefing on the issue of,

whether the district court abused its discretion in admitting prior bad act evidence to prove absence of mistake and intent because the defense did not put absence of mistake or intent at issue.

3. Prior to October 21, 2016, Mr. HUBBARD filed a thirty-three page Response to State's Petition For Review by Supreme Court which provided authorities from many other state appellate courts on the exact issue which is to be argued in Mr. HUBBARD's Supplemental Brief.

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4. As this Honorable Court has now determined that further briefing is required, counsel for Mr. HUBBARD must complete substantial research from compilations of cases, such as law review journals, to see what further authorities can be gleamed and presented on this other act evidence issue.

5. In order to complete this kind of research, counsel must request an additional thirty days to finalize Mr. HUBBARD's Supplemental Brief Responsive to the October 21, 2016 Order.

6. This request for additional time is made and based upon all of the forgoing information. This is the first request for additional time within which to file a brief on Mr. HUBBARD's behalf which responds to this Court's October 21, 2016 Order.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of November, 2016, at Las Vegas, Nevada.

/s/ Brent D. Percival
Brent D. Percival

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 10th day of November, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Chief Deputy District Attorney Steven Owens

Attorney General Adam Laxalt

Brent D. Percival

/s/ Brent D. Percival
Brent D. Percival
Counsel for Appellant:
CORY DEALVONE HUBBARD