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CORY DEALVONE HUBBARD

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Elizabeth A. Brown
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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.)	
_____)	(Third 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 brief is due to be filed on January 11, 2017.

Pursuant to N.R.A.P. 26(b), Mr. HUBBARD requests an additional ten (10) 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 January 25, 2017.

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 11th day January, 2017.

Respectfully Submitted,

/s/ Brent D. Percival
BRENT D. PERCIVAL, ESQ.
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**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, 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. I am also counsel in the direct appeal Richard v. State docket no.70542. Mr. Richard's opening brief and appendix were due to be filed today.

4. Work has been completed on the finalization of Mr. Richard's appendix simultaneously with the preparation of the supplemental brief due to be filed in the case at bar today.

5. Unfortunately, due to issues that arose in Mr. Richard's case and the time it took to resolve those issues, the supplemental brief has not been completed/finalized.

This request for additional time is made and based upon all of the forgoing information. This is the third 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 11th day of January, 2017, 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 11th day of January, 2017. 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