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CORY DEALVONE HUBBARD

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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

CORY DEALVONE HUBBARD,)	
)	Case No.: 66185
Appellant,)	
)	
vs.)	
)	
THE STATE OF NEVADA,)	
)	
Respondent.)	
_____)	

MOTION TO LATE FILE SUPPLEMENTAL BRIEFING PURSUANT TO
ORDER FILED ON OCTOBER 21, 2016

COMES NOW, Appellant Cory Hubbard, by and through his counsel, Brent D. Percival, and requests this Honorable Court enter an order, pursuant to N.R.A.P. 26(b), permitting the late filing of Mr. Hubbard's Supplemental Briefing.

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The Supplemental Briefing is being resubmitted for filing simultaneously with the filing of this request.

This request for late filing 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 30th day January, 2017.

Respectfully Submitted,

/s/ Brent D. Percival
BRENT D. PERCIVAL, ESQ.
Nevada Bar # 3656
1148 S. Maryland Pkwy
Las Vegas, Nevada 89104
(702) 868-5650
Counsel for Appellant:
CORY DEALVONE HUBBARD

**DECLARATION OF BRENT D. PERCIVAL IN SUPPORT OF THE
REQUEST TO LATE FILE Mr. HUBBARD'S SUPPLEMENTAL BRIEF**

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 this date, after the formatting of Mr. Hubbard's Supplemental Briefing Pursuant to Order Filed on October 21, 2016 was finalized, the pleading was efiled.

4. Later on this date, I was shocked to learn that the Supplemental Briefing was rejected based upon the fact that it was not timely filed.

5. Subsequent to receiving this notice, I reviewed the calendar and the last order extending the time to file the Supplemental Briefing and realized that the filing due date for the pleading was inadvertently miscalendared by exactly one week. The pleading was calendared as being due to be filed on Wednesday, February 1, 2017.

6. I apologize for this inadvertent misdcalendaring.

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7. As I believe that this is the first time that a pleading due to be filed in this Honorable Court was inadvertently late filed, I hope the Court will not find it necessary to impose any sanction for this mistake.

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

Executed on this 30th 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 30th 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