

IN THE SUPREME COURT OF THE STATE OF NEVADA

PATRICK NEWELL,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Jan 05 2015 04:00 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 66552

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief deputy, JONATHAN VANBOSKERCK, and moves this Court for an enlargement of time within which to file Fast Track Response. This motion is based on the following memorandum, and all papers and pleadings on file herein.

Dated this 5th day of January 2015.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ Jonathan Vanboskerck
JONATHAN VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
Office of the Clark County District Attorney

MEMORANDUM

I, JONATHAN VANBOSKERCK, am the supervising attorney in the above captioned case. The State is requesting a THIRTY (30) day enlargement of time in which to file its Fast Track Response pursuant to NRAP 3C(i)(2)(B).

This is an appeal from the District Court's Judgment of Conviction. Appellant was tried before a jury and found guilty of Battery With Use of a Deadly Weapon Resulting in Substantial Bodily Harm, Assault With a Deadly Weapon, and Performance of Act in Reckless Disregard of Persons or Property. 3 AA 360-361.

Pursuant to NRAP 3C(i)(2)(B), a request for extension of time will be granted on a showing of extreme need or merit.

Appellant sought a telephonic extension on October 14, 2014. On October 15, 2014, this Court granted Appellant's request for a telephonic extension. Appellant filed for a Motion for Extension Time on November 3, 2014. This Court granted Appellant's Motion and permitted Appellant until December 15, 2014, to file his Fast Track Statement. Appellant filed his Fast Track Statement on December 16, 2014. The State's Fast Track Response is currently due on January 5, 2015. The State makes its first request for an extension of time, citing the following as extreme need and merit: Appellant's Fast Track Statement raises two issues. Both issues are of first impression, which require a thorough examination of the record and case law. The appellate record consists of seven volumes and more than 1200 pages. The State

has finished its draft of the Fast Track Response, but the draft still needs to through our internal review process. For these reasons, the State requests additional time to fully brief and respond to Appellant's claims for this Court.

Respondent respectfully requests this Court's permission for an extension of time of thirty (30) days to file its Fast Track Response, which would make the State's Response due on Wednesday, February 4, 2014.

Dated this 5th day of January 2015.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ Jonathan Vanboskerck*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on January 5, 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

SCOTT L. COFFEE
Deputy Public Defender

JONATHAN VANBOSKERCK
Chief Deputy District Attorney

BY /s/ E. Davis

Employee,
Clark County District Attorney's Office

JV/Phillip Leamon/ed