

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

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3
4 RANDOLPH LYLE MOORE,

5 Appellant,

6 vs.

7 RENEE BAKER, WARDEN, and
8 ADAM LAXALT, ATTORNEY
9 GENERAL FOR THE STATE OF
10 NEVADA,

10 Respondents.

No. 66652

Electronically Filed
Feb 04 2015 02:19 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

11 REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE
12 APPELLANT'S OPENING BRIEF

13 Appellant Randolph Moore, through counsel, hereby requests an
14 extension of time of ninety (90) days, to and including May 5, 2015,
15 within which to file his opening brief. SCR 250 (7)(d); NRAP 31(a)(4),
16 (b)(3). This request is supported by the attached declaration of
17 counsel.

18 Dated this 4th day of February, 2015.

19 RENE L. VALLADARES
20 Federal Public Defender

21 RANDOLPH M. FIEDLER
22 Assistant Federal Public Defender
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28 Attorneys for Appellant

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1. I am an attorney at law, admitted to practice before this Court, and employed in the Capital Habeas Unit in the Law Offices of the Federal Public Defender. I am assigned to represent Randolph Moore in this matter.

2. Petitioner filed his notice of appeal on October 7, 2014. Mr. Moore's opening brief is currently due on or before February 4, 2015. Counsel seeks an extension of time of ninety (90) days, up to and including May 5, 2015, within which to file and serve the opening brief

3. I am requesting a 90-day continuance because I have had to file the following documents since October 7, 2014: a Reply Brief before the Ninth Circuit in Rogers v. McDaniel, No. 11-99009, filed on October 24, 2014; a Petition for Writ of Certiorari in Libby v. Nevin, No. 14-7046, filed on November 3, 2014; an Opening Brief before this Court in Vanisi v. Baker, No. 65774, filed on January 7, 2015; a Reply Brief before this Court in Byford v. Baker, No. 64268, filed on January 20, 2015.

4. Additionally, during the next six weeks, I have the following documents due: a Reply Brief before the Ninth Circuit in Williams v. Baker, No. 13-99002, currently set to be filed on February 24, 2015; an Opposition to Motion to Dismiss before the U.S. District Court in Paine v. Baker, No. 2:00-cv-01082-MMD-VCF, set to be filed on March 6, 2015; and an Opening Brief before the Ninth Circuit in Ybarra v. Baker, No. 13-17326, set to be filed on March 16, 2015. Each of these deadlines have been continued at least once.

1 5. In light of the above circumstances, I seek on Mr. Moore's
2 behalf an extension until May 5, 2015.

3 6. On February 4, 2015, I contacted opposing counsel, Chief
4 Deputy District Attorney Steven S. Owens. Mr. Owens does not
5 oppose this request.

6 7. This request is not made solely for the purpose of delay, or
7 for any other improper purpose, but only to ensure that this office
8 provides competent representation to Mr. Moore. Nev. R. Prof.
9 Conduct 1.1.

10 8. I declare under penalty of perjury that the foregoing is true
11 and correct and that this declaration was executed on February 4,
12 2015, in Las Vegas, Nevada.

13 /s/Randolph M. Fiedler
14 Randolph M. Fiedler
 Assistant Federal Public Defender

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Steven S. Owens
Chief Deputy District Attorney
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