

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 \* \* \* \* \*

3  
4 RANDOLPH LYLE MOORE,

5 Appellant,

6 vs.

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

10 Respondents.

No. 66652

Electronically Filed  
May 05 2015 02:32 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 thirty (30) days, to and including June 4, 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 5th day of May, 2015.

19 RENE L. VALLADARES  
20 Federal Public Defender

21 RANDOLPH M. FIEDLER  
22 Assistant Federal Public Defender  
23 Nevada State Bar No. 12577  
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25 Attorneys for Appellant  
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I, Randolph M. Fiedler, declare as follows:

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 in this matter.

2. Petitioner filed his notice of appeal on October 7, 2014. Mr. e's opening brief is currently due on or before May 5, 2015. sel seeks an extension of time of thirty (30) days, up to and ding June 4, 2015, within which to file and serve the opening

3. I am requesting a 30-day continuance because, since January 4, 2015, when I filed my first request for an extension, I have had the following case related responsibilities: on March 20, 2015, oral argument before the Ninth Circuit in United States v. Raileanu, No. 13-990127; on March 19, 2015, a third supplement to petition, with motions for an evidentiary hearing and discovery, in Adams v. Baker, No. 6069704, before the Eighth Judicial District; on March 27, 2015, a motion for Remand before this Court in Adams v. Baker, No. 60606; on April 15, 2015, a supplemental reply brief before the Ninth Circuit in Baker v. McDaniel, No. 11-99009; on April 23, 2015, a reply brief before the Ninth Circuit in Williams v. Baker, 13-99002; on April 30, 2015, an opening brief before the Ninth Circuit in Ybarra v. Baker, No. 13-990326.

4. I would like to emphasize that my caseload over the past months has been substantially busier than normal and busier than

1 expected. While I expected to have Mr. Moore's opening brief  
2 completed by today, it was simply not possible with the abundance of  
3 other deadlines I had to meet. Which is to say, this request is not  
4 lightly made.

5 5. Additionally, one of the lead attorneys on this case, Gary A.  
6 Taylor, has recently resigned from our office. When I sought the first  
7 extension of time, I expected Mr. Taylor to draft substantial portions of  
8 the brief. With his departure, that responsibility is now on me. I need  
9 additional time to draft the portions of the brief I previously expected  
10 Mr. Taylor to draft.

11 6. In light of the above circumstances, I seek on Mr. Moore's  
12 behalf an extension until June 4, 2015. No further extensions are  
13 contemplated.

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

18 8. I declare under penalty of perjury that the foregoing is true  
19 and correct and that this declaration was executed on May 5, 2015, in  
20 Las Vegas, Nevada.

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22 /s/Randolph M. Fiedler  
23 Randolph M. Fiedler  
24 Assistant Federal Public Defender  
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