

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVE DELL MCNEILL,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

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Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 66697

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum and all papers and pleadings on file herein.

Dated this 1st day of July, 2015.

Respectfully submitted,

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

BY /s/ Steven S. Owens
STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

MEMORANDUM

I, STEVEN S. OWENS, am the supervising attorney in the above-captioned case. The State is requesting a thirty (30) day extension of time in which to file its Answering Brief pursuant to NRAP 31.

Respondent's Answering Brief is currently due July 1, 2015. This is a direct appeal from the Judgment of Conviction. Pursuant to NRAP 31(b)(3)(B), an initial request for extension of time in a non-capital case will be granted on a clear showing of good cause. Subsequent extensions of time will not be granted except upon a showing of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B).

The State's Answering Brief was originally due on June 1, 2015. On June 1, 2015, the State filed a Motion for Enlargement of time, seeking an additional thirty (30) days to file its Answering Brief. This Court granted the State's request. The State's Answering Brief is currently due on July 1, 2015.

The State makes its second request for an extension of time, citing the following as extraordinary circumstances and extreme need: Appellant filed an Opening Brief, over 71 pages, with 10 separate issues and over 23 sub issues, including a Batson challenge. While we originally felt that 30 days would be enough time to adequately brief the many issues, after a review of the record and Opening Brief, many of these are Constitutional issues or novel issues that involve further

research and thorough briefing. For this reason, the State requests additional time to fully brief and respond to Appellant's claims for this Court.

Due to the above-described circumstances, Respondent respectfully requests this Court's permission for a second extension of time of thirty (30) days to file its Answering Brief, making the State's response due to be filed on or before Friday, July 31, 2015. This motion is made in good faith and not for purposes of undue delay.

Dated this 1st day of July, 2015.

Respectfully submitted,

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

BY */s/ Steven S. Owens*

STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on July 1, 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

SHARON G. DICKINSON
Deputy Public Defender

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/j. garcia

Employee,
Clark County District Attorney's Office

SSO/Genevieve Craggs/jg