

IN THE SUPREME COURT OF THE STATE OF NEVADA

RALPH SIMON JEREMIAS,

Appellant,

v.

STATE OF NEVADA,

Respondent.

Electronically Filed
Jan 29 2016 04:11 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 67228

MOTION FOR ENLARGEMENT OF TIME (SECOND REQUEST)

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, CHRIS BURTON, 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 29th day of January, 2016.

Respectfully submitted,

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

BY */s/ Chris Burton*

CHRIS BURTON
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MEMORANDUM

I, CHRIS BURTON, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office and represent the State in the above-captioned case. This Court may extend the time to file an Answering Brief for a capital case upon a showing of good cause. NRAP 31(b)(3)(D).

The State's Answering Brief on the instant matter is currently due on January 29, 2016. This is an appeal from a Judgment of Conviction in a capital case as the result of a jury trial. The Opening Brief is 142 pages and raises 13 issues with numerous sub-issues. The Record on Appeal consists of 27 volumes and is approximately 5,900 pages. The issues presented are fact-intensive and encompass a nine-day capital jury trial. Since the last extension granted by this Court, the State has made significant headway in researching the record as well as the legal issues raised by Appellant's Opening Brief. Specifically, undersigned has completed ten volumes of the record, including almost 5 days of the jury trial. However, the State's Answering Brief requires additional time to complete in order to fully research the record and applicable law.

The State therefore submits good cause exists to extend the filing due date. Appellant was previously granted a first continuance of 60 days as well as a second continuance of 45 days. The instant motion is the State's second request for an extension.

Due to the above-described circumstances, Respondent respectfully requests this Court's permission for an extension of time of SIXTY (60) days to file its Answering Brief, making the Response due to be filed on or before Tuesday, March 29, 2016. This motion is made in good faith and not for purposes of undue delay.

Dated this 29th day of January, 2016.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Chris Burton*

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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 29, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

JONELL THOMAS
Deputy Special Public Defender

CHRIS BURTON
Deputy District Attorney

BY /s/ E.Davis
Employee, District Attorney's Office

CFB//ed