

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA CALEB SHUE,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Aug 19 2015 10:43 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 67428

**MOTION FOR ENLARGEMENT OF TIME
(First Request)**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JONATHAN E. VANBOSKERCK, 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, declaration of counsel and all papers and pleadings on file herein.

Dated this 19th day of August, 2015.

Respectfully submitted,

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

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

MEMORANDUM

I, JONATHAN E. VANBOSKERCK, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due August 19, 2015. This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3). As such, the State requests 45 days up to and including October 5, 2015, within which to file Respondent's Answering Brief.

This is an appeal from the District Court's Judgment of Conviction. After a jury trial, Appellant was convicted of one count of Child Abuse and Neglect; 29 counts of Use of Child in Production of Pornography; 10 counts of Possession of Visual Presentation Depicting Sexual Conduct of a Child; and one count of Open and Gross Lewdness. Appellant filed a 66-page Opening Brief, along with an 8-volume appendix consisting of approximately 1,521 pages. Appellant raises seven issues, requiring review of pre-trial proceedings as well as a five-day jury trial. This case was initially given to a law clerk who is no longer assigned to the Appellate Division of the District Attorney's Office. As such the case was transferred to a newly hired law clerk who has only recently started work on this matter. The new law clerk needs additional time to complete her portion of this project. Therefore, the State makes this first request for an extension of time in which to file a

Respondent's Answering Brief. This motion is made in good faith and not for the purposes of undue delay.

I declare under penalty of perjury that the factual representations set forth in the foregoing memorandum are true and correct.

Dated this 19th day of August, 2015.

Respectfully submitted,

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

BY */s/ Jonathan E. 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 August 19, 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

WILLIAM M. WATERS
Deputy Public Defender

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

BY /s/j. garcia
Employee,
Clark County District Attorney's Office

JEV/Ekaterina Derjavina/jg