

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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JOSHUA SHUE,  
Appellant,  
v.  
THE STATE OF NEVADA,  
Respondent.

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Electronically Filed  
Oct 05 2015 01:04 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

CASE NO: 67428

**MOTION FOR ENLARGEMENT OF TIME (SECOND 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 a second 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 5<sup>th</sup> day of October, 2015.

Respectfully submitted,

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

BY /s/ Jonathan E. VanBoskerck  
JONATHAN 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 October 5, 2015. This Court may grant additional extensions of time "upon a showing of extraordinary circumstances and extreme need." NRAP 31(b)(3)(B). As such, the State requests an additional 30 days, up to and including November 4, 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 extensive review of pre-trial and trial proceedings. Among other things, Appellant challenges the sufficiency of the evidence presented at the five-day jury trial. Further, Appellant's remaining claims require research into the legislative intent behind Nevada's Child Pornography statutes, in addition to a review of the Child Pornography statutes from other jurisdictions. Therefore, the State hereby makes this second request to extend time to allow additional time to

review the appellate record and thoroughly research and brief Appellant's claims for this Court. This motion is made in good faith and not for the purposes of undue delay.

Dated this 5<sup>th</sup> day of October, 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 October 5, 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/ E.Davis

Employee,  
Clark County District Attorney's Office

JEV/Ekaterina Derjavina/ed