

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHAWN RUSSELL HARTE,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.


No. 67519 Electronically Filed  
Aug 03 2015 11:14 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE THE OPENING BRIEF  
AND JOINT APPENDIX

Appellant, by and through counsel, hereby moves for an extension of time of 30 days to and including, September 4, 2015, within which to file Appellant's Opening Brief and Joint Appendix. The reasons for this request are set forth in the attached affidavit.

DATED this 3rd day of August 2014.

JEREMY T. BOSLER  
Washoe County Public Defender

By   
JOHN REESE PETTY, Chief Deputy  
Nevada State Bar Number 10  
350 South Center Street, 5th Floor  
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Reno, Nevada 89520-0027  
(775) 337-4827  
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AFFIDAVIT

STATE OF NEVADA     )  
                                      : ss.  
COUNTY OF WASHOE )

JOHN REESE PETTY, under penalty of perjury, deposes and says:

1. That I am a Chief Deputy in the Washoe County Public Defender's Office and that I am Appellant's counsel in this direct appeal.

2. Appellant's Opening Brief and Joint Appendix are due on Wednesday, August 5, 2015.

3. I need additional time to complete a quality Opening Brief and to prepare the Joint Appendix in this appeal.

4. I have been diligently working on and completing my appellate assignments—last month (July) I filed eight fast track briefs in various appeals and one supplemental brief in a pending writ action. I initiated two new appeals. Thus, even though I have been working on the instant appeal I cannot have it completed by the current due date. However, I anticipate that the Opening Brief will be filed in the additional time I am requesting.

5. My other duties as a Chief Deputy have taken time away from working on this appeal.

6. Respondent does not oppose this request for an extension of time.

7. Your affiant hereby requests an extension of time of 30 days to and including September 5, 2015, in which to file the Opening Brief and Joint Appendix in this appeal.

8. This motion for an extension of time is made in good faith and not solely for the purpose of delay.

  
\_\_\_\_\_  
JOHN REESE PETTY

Subscribed and Sworn to before me this 3rd day of August 2015, by  
John Reese Petty.



  
NOTARY PUBLIC

## **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 3rd day of August 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Terrence P. McCarthy, Chief Appellate Deputy,  
Washoe County District Attorney's Office

I further certify that I served a copy of this document by mailing a true and correct copy thereof to:

Mr. Shawn Russell Harte (#61390)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

John Reese Petty  
Washoe County Public Defender's Office