

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

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5 LINDSIE NEWMAN,
6 Appellant,

Case No. 67756

Electronically Filed
Sep 11 2015 10:39 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

7 vs.

8 THE STATE OF NEVADA,
9 Respondent.

10 **MOTION TO EXTEND TIME IN WHICH TO FILE**
11 **APPELLANT'S OPENING BRIEF**

12 Appellant, LINDSIE NEWMAN, through her court-appointed
13 counsel, Nevada State Public Defender KARIN L. KREIZENBECK, and Chief
14 Appellate Deputy Public Defender, SALLY DESOTO, moves this Court for a
15 20-day extension of time until September 30, 2015, within which to file her
16 opening brief. The opening brief is currently due on September 10, 2015.

17
18 This motion is made pursuant to NRAP 3(C)(h)(2), 26 and 27 and
19 is based on the following Affidavit of Counsel.

20 DATED this 10th day of September, 2015.

21
22 KARIN L. KREIZENBECK
23 Nevada State Public Defender

24
25 /s/ SALLY DESOTO
26 Chief Appellate Deputy
27 Bar I.D No. 8790
28 511 East Robinson Street, Suite 1
 Carson City, Nevada 89701
 (775) 684-1080

1 AFFIDAVIT OF COUNSEL

2 STATE OF NEVADA)

3 : ss

4 CARSON CITY)

5 SALLY DESOTO, being first duly sworn on oath, deposes and
6 says as follows:

7 1. I am the chief appellate deputy with the Nevada State Public
8 Defender, appointed counsel for the appellant.

9 2. The Appellate Division of the Nevada State Public Defender
10 prosecutes appeals, petitions for post-conviction relief, and writs of habeas
11 corpus on behalf of indigent criminal defendants. In addition to handling
12 appeals and post-conviction litigation, the Appellate Division of the Nevada
13 State Public Defender processes and responds to numerous letters from inmates
14 in this and other states. Further, we sometimes are called upon to handle court
15 appearances in various counties at times when trial deputies have scheduling
16 conflicts and during periods of personnel shortage.

17 3. This is an appeal from a Judgment of Conviction entered
18 pursuant to a guilty plea of Conspiracy to Commit Grant Larceny.

19 4. My appellate deputy has recently left the office on maternity
20 leave. I am now covering cases in the Carson City court system as well as
working on her appeals caseload, parole revocations, and any other work that

1 may be assigned to my department. I recently covered five parole revocation
2 hearings and am being assigned five parole revocations for next week, as well as
3 three bail hearings in the last two days. I am presently drafting a brief in another
4 case that requires much more time than I originally anticipated.

5 5. In light of the above, there has not been sufficient opportunity to
6 complete my work on the opening brief. Accordingly, I am requesting an
7 extension of time until September 30, 2015, within which to file the opening
8 brief.

9 6. I would submit that, pursuant to NRAP 3C(h), the factors
10 outlined above constitute both need and merit for granting an extension of time
11 within which to file the opening brief.

12 7. This request by the Nevada State Public Defender for an

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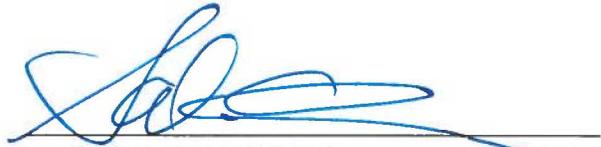
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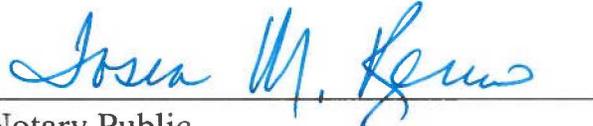
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1 extension of time for the filing of the opening brief is made for good cause and
2 not for the purpose of unnecessary delay.

3 DATED this 10th day of September, 2015.

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5 
6 SALLY DESOTO

7 SUBSCRIBED AND SWORN (or affirmed) to
8 by SALLY DESOTO before me this
9 10th day of Sept., 2015.

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11 Notary Public



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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 10th day of September, 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
- SALLY DESOTO
CHIEF APPELLATE DEPUTY PUBLIC DEFENDER
- JASON WOODBURY
CARSON CITY DISTRICT ATTORNEY

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

Ms. LINDSIE NEWMAN
#1136265 - FMWCC
4370 SMILEY ROAD
LAS VEGAS NV 89115

DATED this 10th day of September, 2015.

SIGNED: /s/ Tosca M. Renner
Employee of Nevada State Public Defender