

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL JOSEPH JEFFRIES,
Appellant,

vs.

THE STATE OF NEVADA,
Respondent.

CASE NO. 68338

District Court Case No. C279431

Electronically Filed
Jan 25 2016 03:16 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

**APPELLANT MICHAEL JOSEPH JEFFRIES' MOTION FOR
ENLARGEMENT OF TIME WITHIN WHICH TO FILE OPENING BRIEF
(SECOND REQUEST)**

COMES NOW, the Appellant, Michael Joseph Jeffries, by and through his attorney, Vincent Savarese III, Esq., of the law firm of Gentile Cristalli Miller Armeni Savarese, and pursuant to NRAP 27 and 31(b)(3), hereby respectfully requests an additional 14 day extension of time within which to file Appellant's Opening Brief and Appendix in the above-entitled case.

IN SUPPORT of this Motion, counsel for Appellant respectfully assigns the following:

1. That Appellant's Opening Brief and Appendix are currently due to be filed in this matter on Wednesday, January 27, 2016;
2. That Appellant's Opening Brief was originally due to be filed in this matter on October 29, 2015.

3. That on August 7, 2015, court reporter Amber Riggio (hereinafter “Ms. Riggio”) requested a telephonic enlargement of time within which to file the transcripts requested in this matter;
4. That this Court granted Ms. Riggio an enlargement of time until September 14, 2015 within which to file the transcripts requested in this matter;
5. That Ms. Riggio filed the transcripts in this matter on or about September 14, 2015;
6. That, as a result, the Court granted counsel for Appellant an enlargement of time within which to file Appellant’s Opening Brief and Appendix (first request);
7. That this is an appeal from a conviction following a jury trial of the offense of murder with use of a deadly weapon with respect to which Appellant was sentenced by the district court to a term of imprisonment for life;
8. That this appeal presents important and sophisticated constitutional issues involving, *inter alia*, intrinsic juror misconduct and ineffective assistance of counsel as a matter of law, requiring substantial legal research and analysis by counsel for Appellant;
9. That counsel for Appellant is also representing the Appellant in the matter entitled *Mazen Alotaibi, Defendant – Appellant v. The State of Nevada, Plaintiff – Respondent*, Case Number: 67380, presently pending before this

Court, in which Appellant's Reply Brief was scheduled to be filed in this Court on February 10, but the filing of which has been re-scheduled pursuant to the State's second request for an additional 30 days within which to file its Answering Brief;

10. That counsel for Appellant is also currently engaged in the preparation of the Cross-Appeal Brief and Appendix of the Appellee in the matter entitled *United States of America, Plaintiff – Appellant v. Straughn Samuel Gorman, Claimant – Appellee, and \$167,070.00 in United States Currency, Defendant*, Case Number: 15-16600 and 15-16694, presently pending before the United States Court of Appeals for the Ninth Circuit, which is currently due to be filed on February 19, 2016;
11. That counsel for Appellant is currently ill with the flu and out of the office; and as a result, requires one further short enlargement of time in order to complete the final preparation of Appellant's Opening Brief for filing;
12. That counsel for Appellant therefore respectfully requests one further 14 day enlargement of time within which to complete and file Appellant's Opening Brief and Appendix in this matter; and
13. That the additional 14 day extension of time herein requested would make Appellant's Opening Brief and Appendix in the instant case due on February 10, 2016.

WHEREFORE, premises considered, Appellant Michael Joseph Jeffries respectfully requests that the time for filing Appellant's Opening Brief and Appendix be extended from January 27, 2016 to and including February 10, 2016.

DATED this 25th day of January, 2016.

GENTILE CRISTALLI
MILLER ARMENI SAVARESE

VINCENT SAVARESE III

Nevada Bar No.: 2467

410 South Rampart Blvd., Suite 420

Las Vegas, Nevada 89145

Attorney for Appellant

Michael Joseph Jeffries

CERTIFICATE OF SERVICE

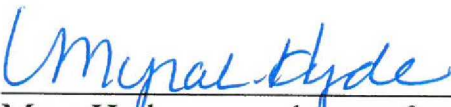
I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On January 25, 2016, I caused to be served a true and correct copy of the foregoing **APPELLANT MICHAEL JOSEPH JEFFRIES' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE OPENING BRIEF (SECOND REQUEST)**, by the method indicated:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.

- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY PERSONAL DELIVERY:** by causing personal delivery of the document(s) listed above to the person(s) at the address(es) set forth below.
- X **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

STEVEN B. WOLFSON
District Attorney
BERNARD ZADROWSKI
Chief Deputy District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

ALAN P. LAXALT
Attorney General
100 North Carson Street
Carson City, Nevada 89701



Myra Hyde an employee of
Gentile Cristalli
Miller Armeni Savarese