

IN THE SUPREME COURT OF THE STATE OF NEVADA

TROY RICHARD WHITE,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
May 17 2016 02:49 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

CASE NO: 68632

MOTION FOR ENLARGEMENT OF TIME (SECOND REQUEST)

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, CHRISTOPHER BURTON, 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 and all papers and pleadings on file herein.

Dated this 17th day of May, 2016.

Respectfully submitted,

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

BY /s/ Christopher Burton
CHRISTOPHER BURTON
Deputy District Attorney
Nevada Bar #012940
Office of the Clark County District Attorney

MEMORANDUM

I, CHRISTOPHER BURTON, 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 May 17, 2016. This case is an appeal from the Judgment of Conviction following a 7-day jury trial. Appellant was convicted of Second Degree Murder with Use of a Deadly Weapon; Attempt Murder with Use of a Deadly Weapon; and four counts of Child Abuse, Neglect, or Endangerment. On December 15, 2015, Appellant filed a stipulation agreeing to an additional 30 days within which to file his Opening Brief. This Court approved the stipulation on the same day, making the Brief due January 14, 2016. On January 13, 2016, Appellant filed a Motion requesting an additional 30 days to file his Opening Brief. This Court granted the request on January 20, 2016, making the Brief due February 16, 2016. On February 17, 2016, Appellant filed his Opening Brief.

This Court may extend the time to file an Answering Brief for a case upon a showing of good cause. NRAP 31(b)(3). The State respectfully requests an additional 30 days up to and including June 16, 2016, within which to file Respondent's Answering Brief. As previously explained, Appellant's Appendix includes 10 volumes, and the Opening Brief raises two complex questions pertaining to evidentiary issues at trial and jury instructions, which required a careful consideration of the lengthy record. The assigned law clerk has reviewed the record

but requires additional time to prepare the answering brief, and time for the draft brief to go through the State's review protocol by the trial attorneys and supervising appellate attorney. Therefore, the State requests additional time to complete the answering brief. This Motion is made in good faith and not for purposes of undue delay.

Dated this 17th day of May, 2016.

Respectfully submitted,

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

BY */s/ Christopher Burton*

CHRISTOPHER BURTON
Deputy District Attorney
Nevada Bar #012940
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
P.O. Box 552212
Las Vegas, NV 552212
(702) 671-2500

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 17, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

SCOTT L. COFFEE, ESQ.
Counsel for Appellant

CHRISTOPHER BURTON
Deputy District Attorney

BY /s/ E.Davis

Employee,
Clark County District Attorney's Office

CB/Nallely Ocampo/ed