1	IN THE SUPREME COURT OF THE STATE OF NEVADA
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3 4	LUIS PIMENTEL,
5	Appellant, Case Nov 10 2015 01:46 p.m. Case Nov 10 2015 01:46 p.m. Case Nov 10 2015 01:46 p.m.
6	vs.) Case VCIER of Supreme Court
7) THE STATE OF NEVADA,)
8	
9	Respondent.)
10	APPELLANT'S MOTION FOR EXTENSION OF TIME
11	TO FILE FAST TRACK STATEMENT
12	Comes Now Appellant LUIS PIMENTEL, by and through Deputy Public
13 14	Defender WILLIAM M WATERS, and moves for a fifty (50) day extension of time from
15	Tuesday, November 10, 2015, through and including Wednesday, December 29, 2015, within
16	which to file the Fast Track Statement in this case. This Motion is based upon the attached
17	Declaration of counsel.
18	DATED this 10 th day of November, 2015.
19	PHILIP J. KOHN
20 21	CLARK COUNTY PUBLIC DEFENDER
22	
22	By <u>/s/ William M. Waters</u>
24	WILLIAM M. WATERS, #9456 Deputy Public Defender
25	309 So. Third Street, Suite #226 Las Vegas, Nevada 89155-2610
26	(702) 455-4685
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1	DECLARATION OF WILLIAM M. WATERS
2	1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy
3	public defender assigned to handle the appeal of this matter; I am familiar with the procedural
4	history of this case.
5	2. Our office filed the Notice of Appeal in this matter on August 25, 2015. This
6	case is governed by the provisions of NRAP 3C, which require the Appellant to file a Fast Track
7 8	
9	Statement 40 days after the filing of the Notice of Appeal.
10	3. I filed a Request for Rough Draft Transcripts on August 25, 2015. The
11	reporter received the request on August 25, 2015. NRAP Rule 3C required the reporter to
12	produce the rough draft transcript by September 14, 2015.
13	4. On September 15, 2015 a motion for extension to file transcript was filed by
14	Court Recorder, Corcoran.
15	5. On September 16, 2015, this Honorable Court granted Court Recorder
16	
17	Corcoran's motion until October 21, 2015, making the Fast Track Statement due November 10,
18	2015.
19	6. On October 21, 2015 the final thirteen transcripts were filed in this matter.
20	7. During the week of October 26, 2015 Appellate staff printed the entire lower
21	court record. The appendix is compiled and ready to be Bates stamped. Unfortunately, without
22	the last three weeks the Toshiba copier utilized for Bates stamping has been under repair three
23	times for document feeding issues. A fourth call was put into the help center and the repairman
24	
25 26	will be coming out a fourth time.
26	8. Unfortunately, this has put Appellate staff behind in the preparation of
27 28	Appendices and as soon as the copier is operating the Appendix in this case will be finalized.
20	

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1	9. Declarant anticipates receipt of the completed appendix within the week.	
2	10. Accordingly, I am requesting a fifty (50) day extension of time within which	
3	to prepare and file the instant Fast Track Statement. The fifty (50) day number takes into	
4	• • • •	
5	consideration the fact Appellate staff will be finalizing the appendix, time after that for the	
6	review of the record and the writing of the Fast Track Statement as well as the upcoming	
7	holidays and the fact Appellate staff may be out of the office some of the days during the	
8	holiday season	
9	11. This Motion for Extension is made in good faith and not for the purpose of	•
10	delay.	· .
11		
12	I declare under penalty of perjury that the foregoing is true and correct.	
13	EXECUTED on the 10 th day of November, 2015.	
14	<u>/s/ William M. Waters</u> WILLIAM M. WATERS	
15		
16	<u>CERTIFICATE OF SERVICE</u>	
17	I hereby certify that this document was filed electronically with the Nevada	
18 19	Supreme Court on the 10 th day of November, 2015. Electronic Service of the foregoing	
20	document shall be made in accordance with the Master Service List as follows:	
20	ADAM LAXALT WILLIAM M. WATERS	
21	STEVEN S. OWENS HOWARD S. BROOKS	
22	I further certify that I served a copy of this document by mailing a true and	
24	correct copy thereof, postage pre-paid, addressed to: LUIS PIMENTEL, NDOC No. 1144889,	
25	c/o Ely State Prison, P.O. Box 1989, Ely, NV 89301.	
26	BY /s/ Carrie M. Connolly	
27	Employee, Clark County Public	
28	Defender's Office	