1	IN THE SUPREME COURT OF THE STATE OF NEVADA	
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3	LUIS PIMENTEL,	
4	j Electronically Filed	
5 6	Appellant,) Dec 28 2015 03:47 p.r) Case No. 6871 Tracie K. Lindeman vs.) Clerk of Supreme Cour	
7) THE STATE OF NEVADA,)	
8)	
9	Respondent.)	
10	APPELLANT'S MOTION FOR FULL BRIEFING DUE TO THE COMPLEXITY	
11	OF ISSUES AND THE INABILITY TO BRIEF ISSUES WITHIN PAGE LIMITS IMPOSED BY RULE 3C OF THE NEVADA RULES OF APPELLATE PROCEDURE	
12		
13	Comes Now Appellant LUIS PIMENTEL, by and through Deputy Public	
14	Defender WILLIAM M. WATERS, and moves that that this Honorable Court order full briefing	
15	in this appeal due to the complexity of issues and the inability of counsel to brief the issues	
16	within the page limits imposed by Rule 3C of the Nevada Rules of Appellate Procedure. The	
17	details of this motion are explained in the attached Declaration of WILLIAM M. WATERS.	,
18	DATED this 28 th day of December, 2015.	
19	PHILIP J. KOHN	
20	CLARK COUNTY PUBLIC DEFENDER	
21		
22	By <u>/s/ William M. Waters</u>	
23	WILLIAM M. WATERS, #9456 Deputy Public Defender	
24 25	309 So. Third Street, Suite #226	
25 26	Las Vegas, Nevada 89155-2610 (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 handling the appeal of the conviction in this case; I am familiar with the
4	procedural history of this case.
5	
6	2. Appellant, Luis Pimentel was charged and convicted for First Degree Murder
7	with Use of a Deadly Weapon. At sentencing the district court sentenced Appellant to less than
8	a life sentence. Therefore, this appeal is subject to Rule 3C of the Nevada Rules of Appellate
9	Procedure. This appeal is commonly called a Fast Track Appeal.
10 11	3. The Fast Track Statement is due to be filed on Tuesday, December 29, 2015.
11	4. As of today, Monday, December 28, 2015, I have finished reviewing almost
13	the entire record, which consists of more than 3,167 pages.
14	5. I have also completed a fairly substantial amount of research relating to the
15	issues in this case.
16	
17	6. Appellant's trial lasted 12 days and 27 witnesses testified.
18	7. In addition to the issues which arose during pretrial litigation, during
19	Appellant's trial there were hundreds of objections by each side and each objection must be fully
20	analyzed, researched, and potentially briefed.
21	8. Based upon the length of trial, the number of testifying witnesses, and the
22	sheer number of objections, there are simply too many issues which must be thoroughly
23	researched and potentially litigated in order to effectively represent Appellant in the instant
24	
25	appeal.
26 27	9. I am unable to brief these issues within the page limits imposed by Rule 3C. I
28	may be able to brief these issues within the page limits for an ordinary brief.
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1	10. Due to the complexity of the case and my inability to brief the issues within
2	the number of pages imposed by Rule 3C, I respectfully ask that this appeal be deemed a regular
3	criminal appeal and not a Fast Track Appeal and also request additional time to complete the
4	appeal. I respectfully ask that Rule 3C not apply to this appeal.
5	11. This motion is made in good faith and not merely for any purpose of delay.
6	
7	I declare under penalty of perjury that the foregoing is true and correct.
8	EXECUTED on the 28 th day of December, 2015.
9 10	<u>/s/ William M. Waters</u> WILLIAM M. WATERS
11	WILLIAW W. WATERS
12	CERTIFICATE OF SERVICE
13	I hereby certify that this document was filed electronically with the Nevada
14	Supreme Court on the 28 th day of December, 2015. Electronic Service of the foregoing
15	
16	document shall be made in accordance with the Master Service List as follows:
17	ADAM LAXALT WILLIAM M. WATERS STEVEN S. OWENS HOWARD S. BROOKS
18	I further certify that I served a copy of this document by mailing a true and
19	
20	correct copy thereof, postage pre-paid, addressed to:
21	LUIS PIMENTEL NDOC No. 1144889
22	c/o Ely State Prison P.O. Box 1989
23	Ely, NV 89301.
24	
25	BY /s/ Carrie M. Connolly_
26	Employee, Clark County Public Defender's Office
27	Derender's Office
28	