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2 IN THE SUPREME COURT OF THE STATE OF NEVADA
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4 _____
5 STELLA SINDELAR,

6 Appellant,

7 vs.

8 THE STATE OF NEVADA,
9

10 Appellee.
11 _____

12 Appeal from the Seventh Judicial District Court
13 Of The State of Nevada
14 In And For the County Of White Pine

15 **MOTION FOR EXTENSION OF TIME TO ANSWER**

16 **PETITION FOR WRIT OF CERTIORARI**

17 HONORABLE CATHERINE CORTEZ MASTO
18 NEVADA BAR NO.: 3805
19 ATTORNEY GENERAL OF NEVADA
20 100 NORTH CARSON STREET
21 CARSON CITY, NV 89701-4717

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ATTORNEY FOR APPELLANT

22 WHITE PINE COUNTY DISTRICT ATTORNEY
23 HON. MICHAEL WHEABLE,
24 801 CLARK STREET
25 ELY, NV 89301
26 APPELLEE ATTORNEY

27 COMES NOW STELLA SINDELAR, Appellant, who through counsel, seeks an
28 extension of time to file her Fast Track Statement. Counsel received consent to file a late
Fast Track Statement from the District Attorney. However, the request for an extension

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Tracie K. Lindeman
Clerk of Supreme Court
NO. 68789

1 and the grant was untimely under the Nevada Rules of Appellate procedure. Counsel has
2 discovered several issues that require additional research and briefing prior to finishing
3 the Statement.
4

5 Counsel's misconstrued the rules for due date on his fast track statement.
6 Counsel mistakenly calculated the forty day period from the docketing statement filing
7 and not from the filing of the notice of appeal. Counsel assures the court this error will
8 not happen again.
9

10 Counsel has been out of the office due to a household emergency, counsel's
11 water system (pump and related equipment) failed last Friday and the failure caused
12 substantial disruption to counsel's schedule causing counsel to be out of office during
13 much of Saturday, Sunday, Monday and Tuesday. For the foregoing reason counsel seeks
14 an extension to file until October 25, 2015.
15
16

17 The matter is of importance to my client who was sentenced to a maximum of
18 72 months in prison on a "fourth" offense DUI.
19

20 Counsel reasonably believes that he can file the statement on or before
21 October 25, 2015 which is the allowed time period for a telephonic extension if counsel
22 had been aware enough of the due date to timely seek an extension
23

24 Dated: October 22, 2015.

25 _____/s Richard W. Sears_____
26 Richard W. Sears, 5489
27 Attorney for Stella Sindelar
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