

1 Thomas A. Ericsson, Esq.
Nevada Bar No. 4982
2 ORONOZ, ERICSSON & GAFFNEY, LLC
1050 Indigo Drive, Suite 120
3 Las Vegas, Nevada 89145
Telephone: (702) 878-2889
4 Facsimile: (702) 522-1542
tom@oronozlawyers.com

Electronically Filed
Apr 14 2016 01:57 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

5 Robert L. Langford, Esq.
6 Nevada Bar No. 3988
ROBERT L. LANGFORD & ASSOCIATES
7 616 S. 8th Street
Las Vegas, Nevada 89101
8 Telephone: (702) 960-0686
Attorneys for Appellant

9 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

10)
11 AMMAR HARRIS aka AMMAR ASIM)
12 FARUZ HARRIS,)
Appellant,)
13 vs.)
14 THE STATE OF NEVADA,)
15 Respondent.)

CASE NO.: 69509

**APPELLANT'S MOTION TO
ENLARGE TIME TO FILE
OPENING BRIEF AND
APPENDIX
(1st Request)**

Death Penalty

16)
17 Appellant AMMAR HARRIS, by and through his counsel of record, Thomas A.
18 Ericsson and Robert L. Langford, hereby submits this Motion to Enlarge Time to File Opening
19 Brief and Appendix.

20 The Brief and Appendix are currently due on April 14, 2016. This is the first request for
21 an extension of time to file the Opening Brief and Appendix. Counsel for Mr. Harris request a
22 sixty (60) day extension in which to file the Opening Brief and Appendix. With a sixty day
23 extension, the Opening Brief and Appendix would be due on or before June 13, 2016.
24

1 **FACTUAL AND PROCEDURAL BACKGROUND**

2 On February 20, 2013, a verbal exchange took place between occupants of a Range
3 Rover and a Maserati on Las Vegas Boulevard, Las Vegas, Nevada. Shots were fired. One
4 passenger in the Maserati was killed, the other injured. The Maserati entered the Flamingo and
5 Las Vegas Boulevard intersection and struck a cab. The cab exploded, which killed the two
6 occupants in the vehicle.

7 This matter proceeded to a jury trial in October and November, 2015, and Ammar Harris
8 was convicted of all charges and sentenced to three death sentences on the three murder
9 convictions.

10 The Clerk of the Court of the Eighth Judicial District, Clark County, Nevada, filed a
11 Notice of Appeal in this matter on January 5, 2016. The Record on Appeal was filed by the
12 court clerk on February 4, 2016. The Record on Appeal consists of 26 volumes and 5,797 pages.

13 **ARGUMENT**

14 **GOOD CAUSE EXISTS TO ENLARGE THE TIME TO FILE**
15 **APPELLANT’S OPENING BRIEF AND APPENDIX**

16 Nevada Rule of Appellate Procedure 31(b)(3) provides in relevant part:

17 **Motions for Extensions of Time.** A motion for extension of
18 time for filing a brief may be made no later than the due date for the
brief and must comply with the provisions of this Rule and Rule 27.

19 **(A) Contents of Motion.** A motion for extension of time
for filing a brief shall include the following:

- 20 (i) The date when the brief is due;
- 21 (ii) The number of extensions of time previously granted
(including a 5-day telephonic extension), and if extensions were
22 granted, the original date when the brief was due;
- 23 (iii) Whether any previous requests for extensions of time
have been denied or denied in part;
- 24 (iv) The reasons or grounds why an extension is necessary;

and

1 (v) The length of the extension requested and the date on
2 which the brief would become due.

3 . . .

4 **(D) Motions in Capital Cases.** The Supreme Court may
5 grant an initial motion for an extension of time of up to 60 days for
6 filing a brief in a capital case upon a showing of good cause. The
7 court shall not grant additional extensions of time except upon a
8 showing of extraordinary circumstances and extreme need.

9 The Appellant's Opening Brief and Appendix are currently due on April 14, 2016. This
10 is the first request for an extension. The Appellant now requests a sixty (60) day extension of
11 time.

12 As good cause for the extension, Appellant cites the following: this appeal involves a
13 heavily-litigated capital murder case with many pre-trial motions, three weeks of jury trial, and
14 a record on appeal consisting of 26 volumes and 5,797 pages. Appellant has been sentenced to
15 three death sentences. Counsel for Appellant need the additional sixty (60) days to finalize
16 reading the appeal record, researching all relevant grounds for appeal and writing the brief.

17 Appellant's counsel respectfully move for an enlargement of time of sixty days, making
18 the Opening Brief and Appendix due on June 13, 2016. This additional time will give appellant
19 counsel the necessary time to present thoroughly Appellant's issues on appeal.

20 This motion is made in good faith and not for the purposes of undue delay.

21 **CONCLUSION**

22 Based on the foregoing, Appellant's Motion to Enlarge Time to File Opening Brief and

23 ///

24 ///

///

1 Appendix should be granted. Appellant respectfully requests an enlargement of time of sixty
2 (60) days until June 13, 2016.

3 DATED this 14th day of April, 2016.

4 Respectfully submitted,

5 By: /s/ Thomas A. Ericsson
6 THOMAS A. ERICSSON, ESQ.
7 Nevada Bar No. 4982
8 ROBERT L. LANGFORD, ESQ.
9 Nevada Bar No. 3988
10 *Attorneys for Appellant*
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 **CERTIFICATE OF SERVICE**

2 I hereby certify and affirm that this document was filed electronically with the Nevada
3 Supreme Court on April 14th, 2016. Electronic Service of the foregoing document shall be made
4 in accordance with the Master Service List as follows:

5 ADAM PAUL LAXALT
6 Nevada Attorney General

7 STEVEN S. OWENS
8 Chief Deputy District Attorney

9 THOMAS A. ERICSSON
10 ROBERT L. LANGFORD
11 Counsel for Appellant

12 By: /s/ Rachael Stewart
13 An employee of ORONOZ, ERICSSON & GAFFNEY, LLC
14
15
16
17
18
19
20
21
22
23
24