

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
Dec 06 2016 04:21 p.m.
Elizabeth A. Brown
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)
FARUQ HARRIS,)
13)
Appellant,)
14)
vs.)
15)
THE STATE OF NEVADA,)
16)
Respondent.)

CASE NO.: 69509

**APPELLANT'S MOTION TO
EXTEND TIME TO FILE
OPENING BRIEF**
(Sixth Request)

Death Penalty

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

20 Mr. Harris' Opening Brief is due December 7, 2016. This is the sixth request for an
21 extension of time to file the Opening Brief. Counsel for Mr. Harris request a further extension of
22 time within in which to file the Opening Brief because of an ongoing medical emergency which
23 has required the hospitalization of counsel.

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 taxicab. The taxicab exploded, and the two
6 occupants of the taxicab were killed.

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 court
12 clerk on February 4, 2016. The Record on Appeal consists of 26 volumes and 5,797 pages.

13 **ARGUMENT**

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

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

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

21 (i) The date when the brief is due;

22 (ii) The number of extensions of time previously
23 granted (including a 5-day telephonic extension), and if
24 extensions were granted, the original date when the brief was
 due;

 (iii) Whether any previous requests for extensions of
 time have been denied or denied in part;

1 (iv) The reasons or grounds why an extension is
2 necessary; and

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

5 . . .

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

12 Mr. Harris' Opening Brief is currently due December 7, 2016. This is the sixth request
13 for an extension. Mr. Harris requests a 14-day extension.

14 During the last several months, counsel for Mr. Harris has experienced the dire illness of
15 an immediate family member, which has required multiple surgical interventions and intensive
16 recovery periods.

17 In the interval since the previous motion requesting an extension, counsel has personally
18 become ill, and is presently hospitalized as a result.

19 Further complicating matters, counsel has been directed by his doctors to avoid contact
20 with others to prevent the transmission of the illness, or his own contraction of any other
21 illnesses which could further jeopardize his health.

22 Counsel for Mr. Harris divided the preparation and writing of the Opening Brief
23 according to which matters were primarily handled by either attorney at the time of trial.
24 Therefore, to redistribute the labor now after these unforeseeable circumstances would cause an
enormous duplication of efforts and associated costs.

1 Mr. Harris therefore respectfully moves for an extension of 14- days, rendering the
2 Opening Brief due on December 21, 2016.

3 This motion is made in good faith and not for the purpose of undue delay.

4 **CONCLUSION**

5 Based on the foregoing, Mr. Harris respectfully requests an extension of 14-days,
6 allowing until December 21, 2016 to file his Opening Brief.

7 DATED this 6th day of December, 2016.

8 Respectfully submitted,

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

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

ADAM PAUL LAXALT
Nevada Attorney General

STEVEN S. OWENS
Chief Deputy District Attorney

THOMAS A. ERICSSON
ROBERT L. LANGFORD
Counsel for Appellant

An employee of ROBERT L. LANGFORD & ASSOCIATES