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

10)
11)
AMMAR HARRIS aka AMMAR ASIM)
12)
FARUZ HARRIS,)
13)
Appellant,)
14)
vs.)
15)
THE STATE OF NEVADA,)
16)
Respondent.)

CASE NO.: 69509

**APPELLANT'S MOTION TO
ENLARGE TIME TO FILE
REPLY BRIEF**
(1st Request)

Death Penalty

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 a Reply in this
19 matter.

20 The Appellant's reply brief is currently due on October 2, 2017. This is the first request
21 for an extension of time to file the reply brief. Counsel for Mr. Harris request a thirty (30) day
22 extension in which to file the reply brief. With a thirty-day extension, the reply brief would be
23 due on or before November 1, 2017.
24

1 **FACTUAL AND PROCEDURAL BACKGROUND**

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

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

8 **ARGUMENT**

9 **GOOD CAUSE EXISTS TO ENLARGE THE TIME TO FILE**
10 **APPELLANT’S REPLY BRIEF**

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

12 **Motions for Extensions of Time.** A motion for extension of
13 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.

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

- 15 (i) The date when the brief is due;
16 (ii) The number of extensions of time previously granted
(including a 5-day telephonic extension), and if extensions were
17 granted, the original date when the brief was due;
18 (iii) Whether any previous requests for extensions of time
have been denied or denied in part;
19 (iv) The reasons or grounds why an extension is necessary;
and
20 (v) The length of the extension requested and the date on
which the brief would become due.

21 . . .
22 **(D) Motions in Capital Cases.** The Supreme Court may
grant an initial motion for an extension of time of up to 60 days for
23 filing a brief in a capital case upon a showing of good cause. The
court shall not grant additional extensions of time except upon a
24 showing of extraordinary circumstances and extreme need.

1 The Appellant's reply brief is currently due on October 2, 2017. This is the first request
2 for an extension. The Appellant now requests a thirty (30) day extension of time to file the reply
3 brief.

4 As good cause for the extension, Appellant cites the following: this appeal involves a
5 heavily-litigated capital murder case with many pre-trial motions, three weeks of jury trial, and
6 a record on appeal consisting of 26 volumes and 5,797 pages. Appellant has been sentenced to
7 three death sentences. The State of Nevada requested and received an approximately six (6)
8 month extension in which to file its Answering Brief, due in large part to the massive record
9 involved in the appeal. Counsel for Appellant need the additional thirty (30) days to address
10 adequately the State's Answering Brief and incorporate the sections from the record on appeal
11 into the Reply.

12 Appellant's counsel respectfully move for an enlargement of time of thirty days, making
13 the reply brief due on November 1, 2017. This additional time will give appellant counsel the
14 necessary time to present properly Appellant's issues on appeal.

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

16 **CONCLUSION**

17 Based on the foregoing, Appellant respectfully requests an enlargement of time of thirty
18 (30) days until November 1, 2017, in which to file his Reply.

19 DATED this 2nd day of October, 2017.

20 Respectfully submitted,

21 By: /s/ Thomas A. Ericsson
22 THOMAS A. ERICSSON, ESQ.
23 Nevada Bar No. 4982
24 ROBERT L. LANGFORD, ESQ.
Nevada Bar No. 3988
Attorneys for Appellant

1 **CERTIFICATE OF SERVICE**

2 I hereby certify and affirm that this document was filed electronically with the Nevada
3 Supreme Court on October 2, 2017. Electronic Service of the foregoing document shall be made
4 in accordance with the Master Service List as follows:

5
6 ADAM PAUL LAXALT
Nevada Attorney General

7 STEVEN S. OWENS
Chief Deputy District Attorney

8 THOMAS A. ERICSSON
9 ROBERT L. LANGFORD
Counsel for Appellant

10 By: /s/ Rachael Stewart
11 An employee of ORONOZ & ERICSSON, LLC
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