## IN THE SUPREME COURT OF THE STATE OF NEVADA

LYUDMYLA ABID,

Appellant,

Respondent.

Electronically Filed
Jul 07 2016 02:48 p.m.
Supreme Court No. To Be K. Lindeman
District Court Case (Ner Dof (SAI))

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SEAN ABID,

MOTION FOR EXTENSION OF TIME TO FILE FAST TRACK STATEMENT AND APPENDIX DUE TO A TECHNICAL ERROR IN FILING

Appellant hereby moves for a two-day extension to file the Fast Track Statement and Appendix, thereby making it due on July 7, 2016. This is a third requested extension for the Fast Track Statement and Appendix. The first requested extension was a one-week telephonic extension. The second requested extension was a three-week extension requested by way of a motion. The Court granted that motion and the Fast Track Statement and Appendix were due by July 5.

On July 5, Appellant's counsel attempted to file the Fast Tract Statement and Appendix. Due to the large size of the Appendix (more than 1600 pages), the Appendix had to be broken down into numerous sections to accommodate the megabyte limitations.

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prior to the July 5<sup>th</sup> deadline.

The Appellant attempted to file the Fast Track Statement on July 5, but had to fix

The Appellant made several unsuccessful attempts but was unable to file the Appendix

numerous typing and formatting errors. Eventually, at around 3:00 a.m. on Wednesday, July 6, Appellant's counsel, Mr. Radford Smith, Esq. after fixing all the formatting and typographical errors, attempted to was able to submit the Fast Track Statement for filing. While he attached all the pages necessary for the Fast Track Statement (cover page, table of contents, table of authorities, brief, and verification), he did not click on the "submit" button for the final submission of the brief. As a result, the brief was not filed. On July 6, the Appellant's counsel, Ms. Kimberly Medina, Esq. noticed that the brief had not been filed. She then re-filed it. The Brief was, however, rejected because it still did not comply with NRAP 3E(e)(1) requirements. Appellant has now fixed the errors and seeks a two-day extension until July 7, 2016 to file the Fast Track Statement and Appendix. This motion is being submitted in good faith, and without the intent to cause undue delay in the appeal.

Dated this \_\_\_\_\_\_\_ day of July, 2016. RADFORD J. SMITH, CHARTERED

RAPFORD J. SMITH, ESQ.

Néyada State Bar No. 002791

GÄRIMA VARSHNEY, ESQ.

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2470 St. Rose Parkway, Suite 206

Henderson, Nevada 89074

Attorney for Appellant

## **CERTIFICATE OF SERVICE**

I certify that on the \_\_\_\_\_ day of July, 2016, I served a copy of this Motion for Extension of Time to File Fast Track Statement and Appendix upon all counsel of record by mailing it by first class mail with sufficient postage prepaid to the following address:

John Jones, Esq. 10777 W. Twain Ave., #300 Las Vegas, Nevada 89135 Attorney for Respondent

DATED this  $\rightarrow$  day of July, 2016.

GARIMA VARSHNEY, ESQ.