

In the Supreme Court of Nevada

MICHAEL FOLEY,
Appellant,

vs.
PATRICIA FOLEY,
Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR LEAVE TO FILE REPLY BRIEF

In light of this Court’s order granting the district attorney’s request to file an *amicus* brief in support of respondent Patricia Foley, appellant Michael Foley seeks leave to file a reply brief. *See* NRAP 31(a)(1)(C), 32(a)(7)(A).

Core to *amicus* participation is the principle that “an opposing party may answer” the *amicus*’s arguments. NRAP 29(f). That principle bears amplification here. Because the named respondent filed no brief of her own, the district attorney’s brief takes the place of an answering brief—raising all of the arguments that Patricia elected to forgo. This unusual situation calls for a full opportunity to respond within the time and size limits of an appellant’s reply brief. *See* NRAP 31(a)(C) (permit-

ting a reply brief 30 days after respondent's brief); NRAP 32(a)(7)(A)
(permitting a reply of 15 pages or 7000 words).

Dated this 8th day of November, 2017.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Abraham G. Smith
DANIEL F. POLSENBERG (SBN 2376)
ABRAHAM G. SMITH (SBN 13,250)
3993 Howard Hughes Parkway
Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

Attorneys for Appellant

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2017, I submitted the foregoing “Motion for Leave to File Reply Brief” for filing *via* the Court’s eFlex electronic filing system.

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, at Las Vegas, Nevada, addressed as follows:

PATRICIA FOLEY
8937 Austin Ridge Avenue
Las Vegas, Nevada 89178

Alan L. Bennett
Robert J. Gardner
OFFICE OF DISTRICT ATTORNEY
FAMILY SUPPORT DIVISION
1900 East Flamingo Road, Suite 100
Las Vegas, Nevada 89119

ADAM P. LAXALT
NEVADA ATTORNEY GENERAL
100 North Carson Street
Carson City, Nevada 89701

/s/Adam Crawford
An Employee of Lewis Roca Rothgerber Christie LLP