

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Aug 21 2017 08:13 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

A.J., a 16-year-old foster child,) NO. 70119
)
Petitioner,) (DC No: J-15-337227-D/1/2/4
vs.)
)
THE EIGHTH JUDICIAL DISTRICT)
COURT OF THE STATE OF NEVADA,)
JUVENILE DIVISION, IN AND FOR)
THE COUNTY OF CLARK, AND THE)
HONORABLE WILLIAM O. VOY,)
DISTRICT COURT JUDGE,)
)
Respondent,)
and)
THE STATE OF NEVADA,)
)
Real Party in Interest.)
_____)

PETITIONER'S MOTION FOR EXTENSION OF TIME
TO FILE ANSWER TO PETITION FOR EN BANC
RECONSIDERATION

Comes Now Petitioner, A.J., by and through Chief Deputy
Public Defender DARIN F. IMLAY, and moves for a forty-five (45) day
extension of time from Wednesday, August 30, 2017, through and including
Monday, October 16, 2017, within which to file the Answer to Petition for

En Banc Reconsideration in this case. This Motion is based upon the attached Declaration of counsel.

DATED this 18th day of August, 2017.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By /s/ Darin F. Imlay
DARIN F. IMLAY, #5674
Chief Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

DECLARATION OF DARIN F. IMLAY

1. I am an attorney licensed to practice law in the State of Nevada; I am a chief deputy public defender assigned as the team chief of the Juvenile Division; I am now the chief deputy public defender assigned to handle the appellate matters in this case; I am currently becoming familiar with the procedural history of this case.

2. Our office filed a Petition for Writ on April 11, 2016. The State filed its Answer to Petition on June 9, 2016. On June 1, 2017, this Honorable Court entered its order granting the Petition.

3. On June 30, 2017, Real Party In Interest filed a Petition for Rehearing. This Honorable Court denied said Petition for Rehearing on July 27, 2017.

4. On August 7, 2017, Real Party In Interest filed its Petition for En Banc Reconsideration. This Honorable Court filed an order directing Answer to Petition for En Banc Reconsideration with a due date of August 30, 2017.

5. When appellate staff received the order, she immediately contacted me to inform me that an Answer to the Petition for En Banc Reconsideration would be due on August 30, 2017.

6. The former Chief Deputy Public Defender in charge of the Juvenile division, and the former lead public defender on this case, Susan Roske, filed the original petition in April of 2016. In February of 2017, Ms. Roske retired from the Clark County Public Defender's office.

7. I have taken over the position of Chief Public Defender in charge of the Juvenile Division and will be preparing and filing the Answer to the Petition for En Banc Reconsideration. It will be necessary for me to familiarize myself with the case prior to preparing the Answer. I have obtained the entire Court record and will begin reviewing said documents.

8. Once I have familiarized myself with the documents, I will prepare the Answer to the Petition for En Banc Reconsideration.

9. Accordingly, I am asking for an extension of forty-five (45) days to review the entire court record and prepare and file the Answer to the Petition for En Banc Reconsideration. The forty-five days would also allow me to contact Ms. Roske, the original preparer of the petition in the event I need to discuss the Answer with her.

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10. This Motion for Extension is made in good faith and not for the purpose of delay.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 18th day of August, 2017.

/s/ Darin F. Imlay
DARIN F. IMLAY

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 18th day of August, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS
JONATHAN VANBOSKERCK
BRIGID DUFFY

DARIN F. IMLAY
HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to: HONORABLE JUDGE WILLIAM VOY, District Court, Juvenile Division, Dept. 18, 601 North Pecos, Las Vegas, NV 89101.

BY /s/ Carrie M. Connolly
Employee, Clark County Public
Defender's Office