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Elizabeth A. Brown  
Clerk of Supreme Court

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

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| JAMES PARKER,        | ) | Docket No. 70139                    |
|                      | ) |                                     |
| Appellant,           | ) |                                     |
|                      | ) |                                     |
| vs.                  | ) | <b>MOTION FOR EXTENSION OF TIME</b> |
|                      | ) | <b>TO FILE APPELLANT'S OPENING</b>  |
| THE STATE OF NEVADA, | ) | <b>BRIEF AND APPENDIX</b>           |
|                      | ) |                                     |
| Respondent.          | ) |                                     |
| _____                | ) |                                     |

17 **COMES NOW** the Appellant, JAMES PARKER, by and through his attorney of record,  
18 Travis Akin Esq., and respectfully requests an extension of time until November 16, 2016, to file  
19 Appellant's Opening Brief and Appendix. This motion is based upon the attached declaration of  
20 counsel.

21 **DATED** this 6<sup>th</sup> day of December, 2016.

22 Respectfully submitted

23 THE LAW OFFICE OF TRAVIS AKIN

24 /s/ Travis Akin

25 \_\_\_\_\_  
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**DECLARATION OF TRAVIS AKIN, ESQ.**

I, TRAVIS AKIN, do declare as follows:

1. I am an attorney duly licensed to practice in the State of Nevada.

2. I was appointed as the attorney of record for the Appellant, James Parker, in this matter.

3. The due date for Appellant's Opening Brief and Appellant's Appendix were due on December 5<sup>th</sup>, 2016.

4. I tried numerous times throughout the afternoon and evening of December 5<sup>th</sup>, 2016, to submit Appellant's Opening Brief and Appellant's Appendix, but the Nevada Supreme Court's electronic filing system was down.

5. On December 6<sup>th</sup>, 2016, I had a telephonic conversation with the Nevada Supreme Court Clerk's office, who confirmed that the Nevada Supreme Court's electronic filing system was down throughout the afternoon and evening of December 5<sup>th</sup>, 2016.

6. I now request an extension of time until December 6<sup>th</sup> to file Appellant's Opening Brief and Appellant's Appendix.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

**DATED** this 10<sup>th</sup> day of November, 2016.

/s/ Travis Akin  
Travis Akin

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 6<sup>th</sup> day of December, 2016, I served a true and correct copy of the above and foregoing **MOTION FOR EXTENSION OF TIME FILE APPELLANT’S OPENING BRIEF** electronically and via first class mail addressed to the following:

**CLARK COUNTY DISTRICT ATTORNEY**

200 Lewis Avenue  
Las Vegas, Nevada 89101  
Facsimile (702) 477-2975  
*Attorney for the State of Nevada*

**NEVADA ATTORNEY GENERAL**

Adam Paul Axalt  
100 North Carson Street  
Carson City, NV 8970

/s/ Travis Akin

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Employee of The Law Office of Travis Akin