IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DEMON MORGAN,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Jan 27 2017 04:40 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 70424

APPELLANT'S MOTION FOR 10 DAY EXTENSION OF TIME

Comes Now Appellant JOHN DEMON MORGAN, by and through Deputy Public Defender SHARON G. DICKINSON, and moves for an extension of time of one business day, from Friday, January 27, 2017, through and including Monday, February 6, 2017, to file the Opening Brief in this case. The grounds for this request are described in the attached Declaration.

DATED this 27th day of January, 2017.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By *[/s/ Sharon G. Dickinson]*

SHARON G. DICKINSON, #3710
Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

Docket 70424 Document 2017-03152

DECLARATION OF SHARON G. DICKINSON

1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.

2. John Morgan filed a Notice of Appeal in this matter on 05/17/16. At the time of the filing of the notice, this case was governed by the provisions of NRAP 3C, which required Appellant to file a Fast Track Statement. On 09/29/16, Court granted full briefing making the Opening Brief due on 10/31/16. Thereafter, Morgan asked for continuances due to missing portions of the transcript, making the Opening Brief due today.

3. On or about 12/12/16, I obtained the final missing portions of the transcripts. This week, our clerk placed them in the appendix. While working on the appeal and going through the appendix this week I realized the competency evaluations were not included. Because I intended to refer to the competency evaluations which are sealed documents and because I did not have a copy of all of them until today, I need additional time to review them for incorporation into the argument. Also, today, I realized that although I obtained the jury selection documents from the clerk's office evidence vault, I had not yet sought to make them officially made part of the record. I contacted the DA in this case and asked her for a stipulation regarding the documents and she has not yet made a decision. Thus, I need additional time to obtain the order. I am

hoping the DA will agree and I will be able to complete the Opening Brief with the additional documents within 10 days. 12.

4. In addition to the above, today while going over the issues I am raising in the Opening Brief with the trial attorney, we jointly agreed to make several changes in the way to proceed. Thus, the additional time will allow me to refocus the issues presented as well as to complete research in several areas.

5. According, I am asking for an extension of 10 days to prepare and file the Opening Brief in this case.

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

EXECUTED on the 27th day of January, 2017.

/s/ Sharon G. Dickinson
SHARON G. DICKINSON

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 27th day of January, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS

SHARON G. DICKINSON
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:

JOHN DEMON MORGAN
NDOC No. 1158013
c/o High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

BY *_/s/ Carrie M. Connolly_*
Employee, Clark County Public
Defender's Office