

David M. Schieck  
Attorney At Law  
302 E. Carson Ave., Ste. 600  
Las Vegas, NV 89101  
(702) 382-1844

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \*

MACK MASON,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

NOV 30 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

Case No. 37964

**MOTION TO ALLOW APPELLANT TO FILE  
AN OPENING BRIEF IN EXCESS OF 30 PAGES**

COMES NOW, Appellant MACK MASON, by and through his attorney, DAVID M. SCHIECK, ESQ., and moves this Court for an Order allowing the Opening Brief to exceed 30 pages, to-wit 47 pages.

This Motion is made and based on the Points and Authorities and Affidavit attached hereto.

Dated this 28 day of November, 2001.

RESPECTFULLY SUBMITTED:

BY *[Signature]*

DAVID M. SCHIECK, ESQ.  
302 East Carson, Suite 600  
Las Vegas, Nevada 89101  
702-372-1844  
Attorneys for Appellant

**POINTS AND AUTHORITIES**

MASON has submitted herewith his Opening Brief of 47 pages. NRAP 29(g) provides that except by permission of the

**RECEIVED**

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NOV 30 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

1

IT IS ORDERED THE BRIEF MAY BE FILED  
IN EXCESS OF 30 PAGES. TO-WIT  
47 PAGES

*[Signature]* C.J.  
cc: Counsel of Record

01-20082

**David M. Schieck**  
Attorney At Law  
302 E. Carson Ave., Ste. 600  
Las Vegas, NV 89101  
(702) 382-1844

1 Court, briefs shall not exceed 30 pages, exclusive of pages  
2 containing the table of contents, table of citations and any  
3 addendums.

4 Due to the nature of the issues involved, it is  
5 respectfully requested that the Court allow the brief to exceed  
6 the limit of NRAP 29(g) and contain 47 pages.

7 Dated this 28 day of November, 2001.

8 RESPECTFULLY SUBMITTED,

9  
10  
11 BY 

12 DAVID M. SCHIECK, ESQ.  
13 302 East Carson, Suite 600  
14 Las Vegas, Nevada 89101  
15 702-372-1844  
16 Attorneys for Appellant

17 AFFIDAVIT OF COUNSEL

18 STATE OF NEVADA)

19 ) ss:

20 COUNTY OF CLARK)

21 DAVID M. SCHIECK, first being duly sworn, deposes and  
22 says:

23 That Affiant is an attorney duly licensed to practice law  
24 in the State of Nevada and court appointed appellate counsel  
25 for MASON.

26 That Affiant executes this affidavit in support of a  
27 Motion to Allow Appellant to File an Opening Brief in excess of  
28 thirty pages.

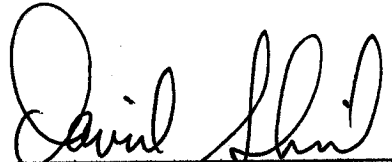
That Affiant has handled numerous criminal appeals to this

1 Court and strives to always meet the requirements of the Court  
2 concerning the length of briefs.

3 That Affiant has raised only those issues which he  
4 believes to have merit with as much brevity as possible and  
5 still make the necessary point.

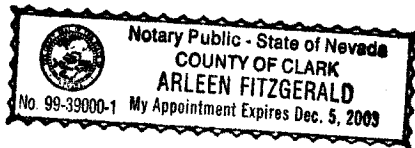
6 Wherefore, Affiant respectfully requests that this  
7 Honorable Court grant this Motion and allow Appellant to file a  
8 Brief of 47 pages.

9 Further Affiant sayeth naught.

10   
11  
12 DAVID M. SCHIECK

13 SUBSCRIBED and SWORN to before me  
14 this 20 day of November, 2001, 2001.

15   
16  
17 NOTARY PUBLIC



**David M. Schieck**  
Attorney At Law  
302 E. Carson Ave., Ste. 600  
Las Vegas, NV 89101  
(702) 382-1844

CERTIFICATE OF MAILING

1  
2 I, KATHLEEN FITZGERALD, do hereby certify that on the 28  
3 day of November, 2001, a copy of the foregoing Motion was  
4 deposited in the United States Mail at Las Vegas, Nevada,  
5 enclosed in a sealed envelope upon which first class postage  
6 was fully prepaid, addressed to District Attorney, 200 S. 3rd  
7 St., Las Vegas NV 89155; and Nevada Attorney General, 100 N.  
8 Carson St., Carson City NV 89701-4717.

9  
10 K. Fitzgerald  
11 KATHLEEN FITZGERALD an employee  
12 of David Schieck, Esq.  
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David M. Schieck  
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BY *[Signature]*  
DEPUTY CLERK

CERTIFICATE OF SERVICE

I, KATHLEEN FITZGERALD, do hereby certify that on the 28th day of November, 2001, I deposited in the United States Post Office, first class postage affixed, at Las Vegas, Nevada, Appellant's Appendix to District Attorney's Office, 200 S. Third Street, Las Vegas Nevada 89155; and a copy of the Index to the Appellant's Appendix, postage prepaid, addressed to the Nevada Attorney General's Office, 100 N. Carson St., Carson City, NV 89710.

DATED: 11/28/01

*Kathleen Fitzgerald*  
an employee of David Schieck, Esq.

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CLERK OF SUPREME COURT  
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