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Tracie K. Lindeman
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

DVONTAE RICHARD,)	
)	Case No.: 70542
Appellant,)	
)	MOTION FOR ADDITIONAL
vs.)	TIME TO FILE OPENING
)	BRIEF AND APPENDIX
THE STATE OF NEVADA,)	
)	(First Request)
Respondent.)	
_____)	

COMES NOW Appellant, DVONTAE RICHARD, by and through his attorney of record, BRENT D. PERCIVAL, ESQ., of the law office of Brent D. Percival, Esq. P.C. and hereby respectfully requests this Honorable Court enter an order, pursuant to NRAP 26(b), extending the time within which to file Appellant's Opening Brief and Appendix .

Mr. RICHARD's opening brief and appendix are presently due to be filed on October 12, 2016.

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This pleading requests an additional thirty (30) days of time to file the opening brief and appendix. If this Honorable Court grants this request, Mr. RICHARD's brief and appendix will be due to be filed on or before November 11, 2016.

This Request for additional time is made and based upon the entirety of the pleadings and papers presently on file herein and upon the declaration of Brent D. Percival, Esq. which is attached to this Request.

DATED this 12th day October, 2016.

Respectfully Submitted,

/s/ Brent D. Percival
BRENT D. PERCIVAL, ESQ.
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630 South Third Street
Las Vegas, Nevada 89101
(702) 868-5650
Counsel for Appellant:
DVONTAE RICHARD

**DECLARATION OF BRENT D. PERCIVAL IN SUPPORT OF REQUEST
FOR ADDITIONAL TIME TO FILE OPENING BRIEF AND APPENDIX**

BRENT D. PERCIVAL, knowing the penalties for perjury, does state the following under penalty of perjury:

1. I am attorney licensed to practice in the state of Nevada, before the U.S. District Courts in and for the States of Nevada and Kansas. I have been so licensed within the State of Nevada since approximately November 18, 1988.

2. I was appointed to represent Defendant/Appellant DVONTAE RICHARD in the Eighth Judicial District Court.

3. This is an appeal following a five day trial. After the conclusion of trial evidence presentation, Mr. RICHARD was convicted of committing ten (10) crimes: 2 counts of conspiracy to commit robbery, burglary while in possession of a firearm, grand larceny of firearm, grand larceny, robbery with use of a deadly weapon, battery with intent to commit a crime, and ownership or possession of firearm by prohibited person.

4. On May 25, 2016, the district court imposed sentences on the ten convictions which resulted in an aggregate minimum of sixteen (16) years and an aggregate maximum of sixty-one (61) years of incarceration in the Nevada Department of Corrections.

5. A primary issue to be litigated during this appeal involves Mr. RICHARD's right to Miranda warnings which insure that the Fifth Amendment right against compulsory self-incrimination is protected. Additionally, this appeal will litigate whether Mr. RICHARD's right to due process, as protected by the Fourteenth Amendment, was violated because the statements Mr. RICHARD gave were involuntary.

6. While research has been completed on these issues, additional time is necessary to finalize research on these issues in other state and federal jurisdictions.

7. I have been completing the tasks associated with the filing of Mr. RICHARD's opening brief and appendix. Nonetheless, I have been unable to finalize all of the tasks required to file the opening brief and appendix. Based upon all of the above noted facts, I respectfully request this Honorable Court grant me an additional thirty (30) days to file the opening brief and appeal.

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

Executed on this 12th day of October, 2016, at Las Vegas, Nevada.

/s/ Brent D. Percival
Brent D. Percival

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 12th day of October, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Chief Deputy District Attorney Steven Owens

Attorney General Adam Laxalt

Brent D. Percival

/s/ Brent D. Percival
Brent D. Percival
Counsel for Appellant:
DVONTAE RICHARD