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**BRENT D. PERCIVAL, ESQ. P.C.**  
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Counsel for Appellant:  
DVONTAE RICHARD

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Elizabeth A. Brown  
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,	)	
	)	(Fifth 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 January 4, 2017.

This pleading requests an additional five (5) 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 January 11, 2017.

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 4<sup>th</sup> day January, 2017.

Respectfully Submitted,

/s/ Brent D. Percival  
BRENT D. PERCIVAL, ESQ.  
Nevada Bar # 3656  
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. Mr. RICHARD was convicted of committing ten (10) crimes and sentenced to an aggregate minimum of sixteen (16) years and an aggregate maximum of sixty-one (61) years of incarceration in the Nevada Department of Corrections.

4. Until the present appeal, I have always filed the Appendix on a CD. I have been informed that the Appendix can be efiled and decided to use that procedure in this appeal. Unfortunately, I ran into some problems organizing and paginating the documents that must be part of the Appendix. I have not been able to complete preparation of the Appendix on today's date.

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While I believe that the appendix problem will be solved quickly, I am requesting five (5) days to file the opening brief and appendix in order to have enough time to make sure that the appendix is consistent with this Court's rules regarding content and formatting of the appendix.

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

Executed on this 4<sup>th</sup> day of January, 2017, 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 4<sup>th</sup> day of January, 2017. 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