IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON RICHARD LOFTHOUSE,

Appellant,

Vs.

THE STATE OF NEVADA,

Respondent.

Case No. 70587

Electronically Filed
Feb 27 2017 02:30 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPELLANT'S MOTION FOR EXTENSION OF TIME DUE TO MISSING TRANSCRIPTS

Comes Now Appellant JASON RICHARD LOFTHOUSE, by and through Deputy Public Defender WILLIAM M. WATERS, and moves for an extension of time of sixty-four (64) days from Monday, February 27, 2017, through and including Tuesday, May 2, 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 February, 2017.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By *\/s/ William M. Waters*
WILLIAM M. WATERS, #9546
Deputy Public Defender
309 So. Third Street, Suite #226
Las Vegas, Nevada 89155-2610
(702) 455-4685

Docket 70587 Document 2017-06679

DECLARATION OF WILLIAM M. WATERS

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. Jason Lofthouse filed a pro per Notice of Appeal in this matter on June 16, 2016.

3. On July 27, 2016, this Honorable Court filed its Order Setting Briefing Schedule adding the Clark County Public Defender's office as counsel for appellant and making the Request for Transcripts due July 16, 2016. The Order further set the Opening Brief's due date as November 28, 2016.

4. On August 5, 2016, Declarant filed Appellant's Request for Certified Transcript of Proceedings and served Court Recorder Sison and Court Reporter Riggio.

5. On September 16, 2016, Court Reporter Riggio filed a motion for extension.

6. On September 19, 2016, this Honorable Court granted the extension making the transcripts due October 14, 2016.

7. On November 17, 2016, Declarant filed Appellant's Stipulation to file the Opening Brief making the new due date December 28, 2016.

8. On December 28, 2016, Declarant filed Appellant's Motion for an Extension of Time to File the Opening Brief due to Missing Transcripts.

9. On January 4, 2017, this Honorable Court entered its Order Directing the Filing of Compliant Transcript Request Form and Granting Motion for Extension of Time. On January 4, 2017, this Honorable Court filed an order regarding transcripts making the due date for all transcripts January 24, 2017.

10. As of today, February 27, 2017, one transcript has been filed in the District Court, the transcript of 07/20/15. The remaining 13 transcripts have not been filed in Odyssey, and have not been received by Declarant.

11. Declarant did not serve as trial counsel and as such the transcripts in this matter are imperative to complete the Opening Brief.

12. Accordingly, Declarant is asking for an extension of sixty-four (64) day 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 February, 2017.

/s/ William M. Waters
WILLIAM M. WATERS

CERTIFICATE OF SERVICE

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

ADAM LAXALT
STEVEN S. OWENS

WILLIAM M. WATERS
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:

JASON RICHARD LOFTHOUSE
NDOC No. 1159974
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