

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON RICHARD LOFTHOUSE,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Nov 13 2017 04:03 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 70587

MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 13th day of November, 2017.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ Steven S. Owens

STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney

MEMORANDUM

I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due November 13, 2017. This is an appeal from a guilty verdict following a four-day jury trial. This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3). Further extensions may be granted upon a showing of extraordinary circumstances and extreme need. Id.

The State herein makes its first request for an enlargement of time. The State requests sixty (60) days to include January 12, 2018, within which to file Respondent's Answering Brief.

Appellant's appeal arises from an ordinary procedural history, including a jury trial in 2016. Appellant's Appendix consists of 7 volumes comprising some 1,500 pages. The Opening Brief is over 90 pages long, raising 11 claims that include multiple sub-issues. The State currently has a working draft; however, the draft is not complete and the trial and appellate attorneys will still need to review the draft. Moreover, the Criminal Appeals Unit recently assigned a new law clerk to the brief as part of the annual transition of law clerks. The newly assigned law clerk assumed responsibility for the instant appeal and needed time to become familiar with the case and issues outstanding from the prior law clerk. Moreover, the Criminal

Appeals Unit is short two law clerks and the new law clerks are still in training and are not yet up to speed. As such, that is the basis for the State's need to extend the current filing deadline.

Therefore, the State hereby makes this first request to extend time to allow additional time to review the appellate record and thoroughly brief Appellant's claims for this Court. This motion is made in good faith and not for the purposes of undue delay.

This motion is made in good faith and not for the purposes of undue delay.

Dated this 13th day of November, 2017.

Respectfully submitted,

STEVEN B. WOLFSON

Clark County District Attorney

BY */s/ Steven S. Owens*

STEVEN S. OWENS

Chief Deputy District Attorney

Nevada Bar #004352

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 13th day of November, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

WILLIAM M. WATERS
Deputy Public Defenders

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/ J. Garcia
Employee,
Clark County District Attorney's Office

SSO/Justin Wilson/jg