

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON RICHARD LOFTHOUSE,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Jan 12 2018 12:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 70587

MOTION FOR ENLARGEMENT OF TIME (SECOND 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 12th day of January, 2018.

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 January 12, 2018. This is an appeal from a guilty verdict following a four-day jury trial. Although initial extensions of time are granted upon a clear showing of good cause, subsequent extensions of time are granted upon a showing of extraordinary circumstances and extreme need. NRAP 31(b)(3).

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 issues presented are fact intensive and the record is expansive. As demonstration of extreme need, the State provides that although a draft of its Answering Brief is being constructed, that it needs additional time to consult with the trial deputy who handled the case, and to finalize a thorough answer to Appellant's claims. Rather than rush to complete the State's response, which is currently due on January 12, 2018, the State respectfully moves for a second enlargement of time of forty-five (45) days within which to file its Answering Brief up to and including Monday, February 26, 2018, 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.

Dated this 12th day of January, 2018.

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 12th day of January, 2018. 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