

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY ANTHONY WILLIAMS,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Apr 24 2017 01:48 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 70868

**MOTION FOR LEAVE TO FILE RESPONDENT'S ANSWERING BRIEF
IN EXCESS OF TYPE-VOLUME LIMITATIONS**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JONATHAN E. VANBOSKERCK, pursuant to NRAP 28(g) and the attached Declaration of Counsel, respectfully moves for leave to file an Answering Brief in Excess of Type-Volume Limitations pursuant to NRAP 32(a)(7)(D).

Dated this 24th day of April, 2017.

Respectfully submitted,

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

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
Office of the Clark County District Attorney

DECLARATION
(NRS 53.045)

I, JONATHAN E. VANBOSKERCK, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Except by Court Order, an Answering Brief shall not exceed 30 pages in length or shall contain no more than 14,000 words or 1,300 lines of text. NRAP 32(a)(7)(A)(i)-(ii); NRAP 32(a)(7)(D).

On February 22, 2017, Appellant filed his Opening Brief. Appellant's Opening Brief contained 12,946 words and 9 claims, one of which broke down into 6 discrete claims of instructional error—namely, Appellant's claim that the District Court abused its discretion in rejecting his proposed jury instructions, in which he challenges the District Court's rejection of just about all of his proposed jury instructions. The Opening Brief is 56 pages long, and Appellant's Appendix is 6 volumes. Appellant successfully complied with the Court's type-volume limitation in his Opening Brief by oftentimes providing only a bare outline of each claim.

Nevertheless, in order to construct an appropriate response to this claim, the State must provide legal citation and argument in support of its position, including an analysis of how the relevant legal precedent supports the State's position. Respondent has diligently sought to respond in as concise a manner as possible, without sacrificing depth, breadth, or accuracy. See NRAP 32(a)(7)(A)(D)(i). However, in order to fully develop the facts and answer the issues Appellant raised

therein, it has been necessary to prepare an Answering Brief containing 16,983 words. Thus, Respondent requests that the Court grant this Motion for Leave to File Respondent's Answering Brief in Excess of Type-Volume Limitations.

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

Dated this 24th day of April, 2017.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Jonathan E. VanBoskerck*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on April 24, 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

AUDREY M. CONWAY
Deputy Public Defender

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

/s/ E.Davis

Employee, Clark County
District Attorney's Office