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IN THE SUPREME COURT OF THE STATE OF NEVADA

TROY MULLNER

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.Ct. No. 71030

D.C. No. C283463

Electronically Filed
Dec 12 2016 08:30 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME
(First Request)

COMES NOW Appellant, TROY MULLNER, by and through his counsel in this matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the first time for an enlargement of time of forty-five (45) days from December 12, 2016 to file Appellant's Opening Brief, making said Brief due January 27, 2017. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 9th day of December, 2016.

Respectfully submitted,

/s/ Jean J. Schwartzer
JEAN J. SCHWARTZER, ESQ.
Law Office of Jean J. Schwartzer
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Counsel for Appellant

1 **MEMORANDUM**

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned case.
3 Pursuant to NRAP 31(b)(3), this Court may grant a first or initial motion for extension
4 of time for filing a brief upon a clear showing of good cause. This is Appellant's first
5 request for an extension of time.

6 With respect to good cause, for the past week counsel's 20 month old son has
7 been home from school with croup and counsel was unable to work. During the
8 preceding week counsel's 4.5 year old daughter was home with hand/foot/mouth virus
9 and counsel was unable to work. Counsel is leaving the country tomorrow for a week
10 and will be unable to work. Upon returning, counsel's two children will be out of
11 school on winter break until January 3, 2017 and counsel will be unable to work during
12 that time period. Therefore, counsel needs an additional forty-five (45) days to
13 complete the Opening Brief in the instant case.

14 Appellant moves for an enlargement of time of forty-five (45) days within which
15 to file Appellant's Opening Brief up to and including January 27, 2017.

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

17 I declare under penalty of perjury the factual representations set forth in the
18 foregoing memorandum are true and correct.

19 Dated this 9th day of December, 2016.

20 Respectfully submitted,

21
22 /s/ Jean J. Schwartzer
23 JEAN J. SCHWARTZER, ESQ.
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ADAM LAXALT, ESQ.
Nevada Attorney General
STEVEN S. OWENS
Chief Deputy District Attorney

/s/ Jean J. Schwartzer
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