

1 **SANDRA L. STEWART**
2 Attorney at Law
3 Nevada Bar No. 6834
4 140 Rancho Maria Street
5 Las Vegas, Nevada 89148
6 (702) 363-4656

7 Attorney for TONY HOBSON

Electronically Filed
Jan 17 2017 09:57 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 **SUPREME COURT OF THE STATE OF NEVADA**

9
10 TONY HOBSON,
11 Appellant,
12 v.
13 STATE OF NEVADA,
14 Respondent.

DISTRICT COURT NO.: - C-303022

SUPREME COURT NO.: - 71419

**HOBSON 1ST MOTION FOR
ENLARGEMENT OF TIME TO FILE
OPENING BRIEF**

15
16 TONY HOBSON hereby moves for an enlargement of time to file his opening brief – to
17 March 20, 2017.

18 **A. PROCEDURAL BACKGROUND**

19 The Opening Brief is currently due on February 2, 2017

20 **B. JUSTIFICATION FOR MOTION**

21 Counsel served a transcript request on Court Reporter Christine Erickson on September
22 28, 2016. Those transcripts were due on October 28, 2016. However, owing to the length of the
23 trial which was two weeks, and the size of the transcripts (over 2,000 pages), the court reporter
24 was not able to produce those transcripts until January. They were served by e-mail, and they had
25 to be sent out to be copied. Counsel just received those back yesterday (January 12, 2017).

26 Counsel would normally have three months between receiving the transcripts and the time
27 that the Opening Brief is due. However, owing to late receipt of the transcripts, that time has
28

1 been compressed into just a few weeks.

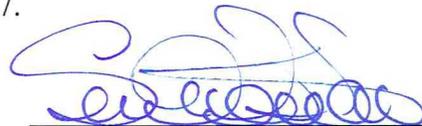
2 Counsel now has all the documents necessary for the Appendix, including the court file,
3 the exhibits, and the transcripts. The transcripts and the exhibits still have to be assimilated in
4 chronological order into the Appendix, then it has to be page numbered, copied, and reviewed.
5 The trial lasted two weeks, and counsel is anticipating that the appendix will comprise over 5,000
6 pages. Once the Appendix has been reviewed, counsel has to research the issues, and write the
7 brief. Counsel needs a few months to complete this process.

8 Counsel anticipates at this time that she will be able to complete the process in two
9 months, and is therefore only requesting a two-month enlargement at this time.

10 **C. CONCLUSION**

11 The court rules provide counsel with approximately 120 days from the date that the notice
12 of appeal is filed, to finalize the appendix and prepare the opening brief. If transcript requests
13 are timely served shortly after the notice of appeal, as occurred in this case, counsel normally has
14 90 days after receipt of the transcripts to prepare the opening brief. Counsel is only seeking 60
15 days in this case from the time the transcripts were received to prepare the opening brief. She
16 contends that is a reasonable amount of time, especially given the length of the record and the
17 sentence which exceeds 157 years.

18 Dated this 13th day of January, 2017.

19 

20 SANDRA L. STEWART
21 Attorney for TONY HOBSON

22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2017, I served a copy of the:

**HOBSON 1ST MOTION FOR ENLARGEMENT OF TIME
TO FILE OPENING BRIEF**

by mailing a copy via first class or priority mail, postage thereon fully prepaid, to the following:

**TONY HOBSON
INMATE NO. 1165963
ELY STATE PRISON
POST OFFICE BOX 1989
ELY, NV 89301**

and by e-filing the document with the Nevada Supreme Court, thereby providing access to a copy to all other interested parties, including but not limited to, the following:

**STEVEN B. WOLFSON, ESQ.
CLARK COUNTY DISTRICT ATTORNEY
200 LEWIS AVENUE
LAS VEGAS, NV 89155-2212**


SANDRA L. STEWART