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Electronically Filed  
Mar 10 2017 08:14 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 2<sup>nd</sup> 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 April 24, 2017.

18 **A. PROCEDURAL BACKGROUND**

19 The Opening Brief is currently due on March 20, 2017. A previous request for  
20 enlargement of time was granted owing to late receipt of transcripts on January 12, 2017, which  
21 were originally due on October 28, 2016.

22 **B. JUSTIFICATION FOR MOTION**

23 Counsel requested the entire court file the same day she filed the Notice of Appeal, and  
24 thought she had received the entire file from the court by January 13, 2017, the date the 1<sup>st</sup>  
25 request for enlargement of time was filed. However, when she was going through the file, she  
26 noticed that some court documents listed on Odyssey were missing from the file she had received  
27 from the Court. Accordingly, she sent a letter to the court clerk again requesting a copy of the  
28

1 entire court file. A copy of that letter which was sent on January 31, 2017, is attached. Counsel  
2 did not receive that file from the court clerk until the end of February.

3 In order to make sure that the file was complete, counsel had to prepare a table of contents  
4 of the Appendix (without page numbers) in order to sort through it and compare with the new  
5 documents just received to determine which ones needed to be added to the documents previously  
6 received. She also used that (partial) table of contents to compare with court documents on  
7 Odyssey to make sure that no court documents were missing. Counsel believes that some of the  
8 confusion regarding the court file stems from the fact that although the three co-defendants were  
9 tried together (until one entered a plea bargain), they were each assigned the same case number  
10 with different subsections.

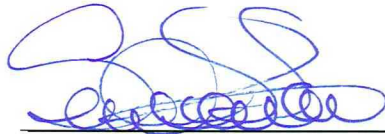
11 In any case, counsel has checked and double checked, and the Appendix is now complete.  
12 Counsel must now bates number the Appendix and then add in the page and volume numbers to  
13 the Appendix table of contents which she already prepared, so that the Appendix can be sent out  
14 for copying and binding. Only then, can she begin reading the record with the ability to make  
15 notes of page and volume numbers where pertinent issues and facts are located. This case  
16 involves an Appendix which currently takes up 12 three-inch binders and which counsel  
17 anticipates will total over 4,000 pages in length (16 volumes). The trial was three weeks long.  
18 The facts revolve around convictions on 82 counts of robbery and related charges which took  
19 place at 14 different fast-food establishments – most of which also involve the issue of whether  
20 charges should stand for kidnapping of persons in the establishments who were moved from one  
21 room to another during the course of the robberies. That issue needs to be analyzed as to every  
22 single one of the victims for whom kidnapping was charged.

### 23 C. CONCLUSION

24 The court rules provide counsel with approximately 120 days from the date that the notice  
25 of appeal is filed, to finalize the appendix and prepare the opening brief. If transcript requests  
26 are timely served shortly after the notice of appeal, as occurred in this case, counsel normally has  
27 90 days after receipt of the transcripts to prepare the opening brief. Counsel previously only  
28 sought 60 days from the time the transcripts were received to prepare the opening brief. Owing

1 to the snafu with the court file, she must now request the additional approximately 30 days which  
2 is normally accorded by the rules from the time the transcripts are received. She contends that is  
3 a reasonable amount of time, especially given the length of the record and the sentence which  
4 exceeds 157 years, as well as issues which arose with obtaining the court file and the transcripts  
5 which were beyond her control.

6 Dated this 9<sup>th</sup> day of March, 2017.

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9 SANDRA L. STEWART  
10 Attorney for TONY HOBSON  
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4 **CERTIFICATE OF SERVICE**

5 I hereby certify that on March 9, 2017, I served a copy of the:

6 **HOBSON 2ND MOTION FOR ENLARGEMENT OF TIME**  
7 **TO FILE OPENING BRIEF**

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

9 **TONY HOBSON**  
10 **INMATE NO. 1165963**  
11 **ELY STATE PRISON**  
12 **POST OFFICE BOX 1989**  
13 **ELY, NV 89301**

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

16 **STEVEN B. WOLFSON, ESQ.**  
17 **CLARK COUNTY DISTRICT ATTORNEY**  
18 **200 LEWIS AVENUE**  
19 **LAS VEGAS, NV 89155-2212**

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January 31, 2016

Court Clerk  
**EIGHTH JUDICIAL DISTRICT COURT**  
200 Lewis Avenue  
Las Vegas, NV 89155

**Re: Court File for  
District Court Case No. – C-14-303022**

Hello:

I have been appointed by the District Court to represent Tony Hobson on appeal in the referenced matter. He is indigent. In order to proceed with the appeal, I need copies of the entire court file for this case. I made a previous request and did receive some documents, but I did not receive the entire court file. I need every single document filed in this case from its inception through November 9, 2016. I have deadlines for this appeal, and thought I had the entire file until I started to put it together and compared it with the list of documents filed on Odyssey, and realized that most of the file was not provided.

Kindly copy and mail the entire court file to me as soon as possible.

Please phone me if you have any questions or comments.

Thank you so much for your assistance.

Very truly yours,

SANDRA L. STEWART