

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS HIDALGO, JR.,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Aug 24 2017 08:21 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 71458

MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JONATHAN E. VANBOSKERCK, 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 24th day of August, 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

MEMORANDUM

I, JONATHAN VANBOSKERCK, 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 August 24, 2017. This Court may extend the time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 3C(i)(2). As such, the State requests 30 days up to and including September 25, 2017, within which to file the Answering Brief.

On August 9, 2017, Appellant Luis Hidalgo, Jr. obtained approval to file, and actually filed, a sealed appendix with this Court. As of August 22, 2017, the State has not received a copy of this sealed appendix and, therefore, can neither respond to Hidalgo's citations to the sealed appendix nor cite to the sealed appendix to argue against Hidalgo's assertions. The State has prepared answers to Hidalgo's arguments contained in the non-sealed appendices, but requires a copy of the sealed appendix to finalize its arguments. Therefore, the State makes this first request for an extension of time in which to file an Answering Brief. This motion is made in good faith and not for the purposes of undue delay.

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

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Dated this 24th day of August, 2017.

Respectfully submitted,

STEVEN B. WOLFSON

Clark County District Attorney

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK

Chief Deputy District Attorney

Nevada Bar #006528

Office of the Clark County District Attorney

Regional Justice Center

200 Lewis Avenue

P.O. Box 552212

Las Vegas, Nevada 89155-2212

(702) 671-2500

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 24th day of August, 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

MARGARET A. MCLEITCHIE, ESQ
Counsel for Appellant

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

BY /s/j. garcia
Employee,
Clark County District Attorney's Office

JEV/John Niman/jg