

FILED

NOV 23 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY [Signature]  
DEPUTY CLERK

IN THE SUPREME COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF \_\_\_\_\_

Evaristo J. Garcia  
#1108072  
~~Plaintiff~~  
Appellant  
v.

Case No. 71525

~~Case No.~~ District court case No. C262966

Docket No. \_\_\_\_\_

the state of Nevada

Respondent/Defendant.

MOTION FOR ENLARGEMENT OF TIME

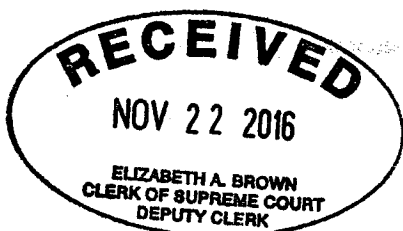
COMES NOW, Appellant Evaristo J. Garcia, pro per,  
and respectfully moves this Honorable Court for a 30 day enlargement of time  
from Nov. 19, 2016, to DEC. 19, 2016, within which to file  
Appellant's Appeal on the Denial of His  
Habeas corpus. Post conviction

This motion is made and based Rule 6(b) of the Nev. Rules of Civil Procedure, the supporting  
attached affidavit, as well as all papers, pleadings, and documents on file herein.

CONCLUSION

WHEREFORE, all of the above stated reasons, Appellant Evaristo J. Garcia respectfully requests this  
Honorable Court to Grant the Appellant Evaristo J. Garcia an enlargement of time from Nov. 19 2016  
to Oct 19, 2016 within which to file his  
Appeal on His Denial of Habeas corpus

DATED this 16 day of November, 2016



Respectfully submitted,

Evaristo J. Garcia #1108072

Petitioner/Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify pursuant to N.R.C.P. 5(b) that I am the ~~Respondent~~ <sup>Appellant</sup> in the foregoing Motion for Enlargement of Time, and that on this 16 day of Nov, 2016, I did serve a true and correct copy of the above mentioned document, by giving it to a prison official at the Ely State Prison to deposit in the U.S. Mail, sealed in an envelope, postage pre-paid, and addressed as follows:

SUPREME COURT OF Nevada  
OFFICE OF THE CLERK  
201 S. CARSON STREET  
Suite 201  
Carson City NV 89701

Steven B. Wolfson  
OFFICE OF THE DISTRICT ATTORNEY  
200 LEWIS AVE  
P.O. BOX 552212  
Las Vegas NV 89155-2212

DATED this 16 day of Nov, 2016

Everisto J Garcia #1108072  
~~Respondent~~  
Appellant

**AFFIDAVIT**

STATE OF NEVADA                     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Everisto J Garcia, being first duly sworn, deposes and says:  
Appellant

1. That Affiant is the ~~Respondent~~ <sup>Appellant</sup> in the above-entitled cause of action;
2. That Affiant is over the age of twenty-one (21) years, of sound mind, and competent to swear to the within matters of the above listed cause of action;
3. That due to \_\_\_\_\_

Affiant is unable to prepare and write his Appeal  
\_\_\_\_\_ by the current due date;

4. That Affiant believes the necessary research and preparation can be accomplished within the additional 30 days requested;
5. That this request for enlargement of time is made in good faith and not for the purposes of delay.

Everisto J Garcia #1108072  
Affiant/~~Respondent~~  
Appellant

**AFFIRMATION PURSUANT TO NRS 239B.030**

I, Evaristo J. Garcia, NDOC# 1108072,

CERTIFY THAT I AM THE UNDERSIGNED INDIVIDUAL AND THAT THE  
ATTACHED DOCUMENT ENTITLED enlargement of  
time

DOES NOT CONTAIN THE SOCIAL SECURITY NUMBER OF ANY  
PERSONS, UNDER THE PAINS AND PENALTIES OF PERJURY.

DATED THIS 16 DAY OF Nov, 20 16.

SIGNATURE: Evaristo J. Garcia

INMATE PRINTED NAME: Evaristo J. Garcia

INMATE NDOC # 1108072

INMATE ADDRESS: ELY STATE PRISON  
P. O. BOX 1989  
ELY, NV 89301