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Elizabeth A. Brown
Clerk of Supreme Court

10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 JORGE MENDOZA,
12 Appellant,
13 vs.
14 THE STATE OF NEVADA,
15 Respondent.

Case No. 72056

**APPELLANT'S MOTION TO
ENLARGE TIME TO FILE
OPENING BRIEF AND
APPENDIX**

(1st request)

16 Appellant JORGE MENDOZA, by and through his counsel, respectfully
17 requests additional time in which to file the Opening Brief and Appendix in this
18 matter.
19

20 **FACTUAL AND PROCEDURAL BACKGROUND**

21 This appeal arises from a jury trial conviction in the Eighth Judicial District
22 Court, Department 5.
23

24 On **December 22, 2016**, undersigned counsel filed a Notice of Appeal in this
25 matter. Counsel filed a Request for Rough Draft Transcripts on the same day. Trial
26 in this matter lasted 20 days. Counsel received trial transcripts less than 90 days
27
28

1 ago. Additionally, the undersigned was not trial counsel in this matter. The trial
2 transcripts are the undersigned's first review of this trial.

3 The file is very voluminous, and counsel needs much more time to fully
4 review the file. Lastly, the appellant is housed in Ely, which is several hours from
5 Las Vegas. Communication with the appellant has been limited and takes additional
6 time because of this.
7

8 Appellant is currently serving a life sentence. Accordingly, counsel requests
9 an additional ninety (90) days to file the Opening Brief and Appendix, which is
10 currently due July 3, 2017.
11

12
13 **GOOD CAUSE EXISTS TO ENLARGE THE TIME TO FILE**
14 **APPELLANT'S FAST TRACK STATEMENT AND APPENDIX**

15 Nevada Rule of Appellate Procedure 26(b)(1)(A) provides in relevant part:

16 For good cause, the court may extend the time prescribed by these Rules
17 or by its order to perform any act, or may permit an act to be done after
18 that time expires.

19 The Appellant's Opening Brief and Appendix are currently due on July 3,
20 2017. The Appellant is requesting a ninety (90) day extension of time to file the
21 Opening Brief and Appendix. Counsel requests this extension of time because this
22 case involves several complex issues to address in the Opening Brief, and counsel
23 only just received the file from prior counsel and the trial transcripts. Appellant is
24 currently serving a life sentence, which makes it very vital to examine all issues
25 appropriately.
26
27
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1 Mr. Mendoza was sentenced to sentence of life with parole eligibility after 28
2 years in the Nevada Department of Corrections. As such, it is imperative that
3 Appellant and his counsel have sufficient time to properly address the issues in this
4 case and to prepare the Opening Brief and Appendix. Therefore, good cause exists
5 for this Court to enlarge the time to file the Opening Brief and Appendix.
6 Accordingly, Mr. Mendoza respectfully requests an additional 90 days in which to
7 file his Opening Brief and Appendix.
8

9
10 Dated this 1st day of July, 2017.

11 GREGORY & WALDO, LLC

12
13 */s/ Amanda Gregory*

14 _____
15 AMANDA S. GREGORY, ESQ.

16 Nevada Bar No.: 11107

Attorneys for Appellant

17 **CERTIFICATE OF SERVICE**

18 I hereby certify and affirm that this document was filed electronically with the
19 Nevada Supreme Court on July 1, 2017. Electronic Service of the foregoing
20 document shall be made in accordance with the Master Service List as follows:
21
22

23 ADAM PAUL LAXALT
24 Nevada Attorney General

STEVEN WOLFSON
Chief Deputy District Attorney

25
26
27 */s/ Amanda Gregory*

28 _____
An Employee of Gregory & Waldo, LLC