

IN THE SUPREME COURT OF THE STATE OF NEVADA

JORGE MENDOZA,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 72056

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 4th day of December, 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 E. VANBOSKERCK, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

This is an appeal from a Judgment of Conviction that was entered on December 2, 2016. This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3).

The State's Answering Brief is currently due on Monday, December 4, 2017. No extensions of time have been requested by the State thus far. The State respectfully moves for an enlargement of time of 30 days, making this brief due on January 3, 2018. Appellant raises issues alleging bad faith by the State for failing to timely notice a witness. Their argument is premised on the belief that a proffer was made to the witness months before the trial. However, Appellant failed to include in its appendix the transcript from that particular hearing. In order for the State to adequately respond to Appellant's arguments, the transcript needs to be ordered. The State has put in a request to have the transcript ordered, and is currently working on the draft of its Answering Brief.

Therefore, the State hereby makes its first request to extend time to allow the State to receive a copy of the transcript from the September 9, 2016, hearing, and thoroughly brief Appellant's claims for this Court. 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.

Dated this 4th day of December, 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 4th day of December, 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

AMANDA GREGORY, ESQ
Counsel for Appellant

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

BY /s/ J. Garcia
Employee,
Clark County District Attorney's Office

JEV/Raven Yim/jg