

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN LIPSITZ,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 72057

MOTION FOR ENLARGEMENT OF TIME (SECOND 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 2nd day of July, 2018.

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 on July 2, 2018. This is an appeal from a Judgment of Conviction. This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3). Further extensions may be granted upon a showing of extraordinary circumstances and extreme need. Id.

The State herein makes its second request for an enlargement of time. The State requests twenty (20) days to include Monday, July 23, 2018, within which to file Respondent's Answering Brief.

Appellant filed his Opening Brief on April 2, 2018, after receiving six (6) extensions of time. Appellant's Opening Brief, which includes an appendix of over 1100 pages, and results from a six (6) day jury trial, raises six (6) complex issues which require thorough factual and legal inquiries. Moreover, the Criminal Appeals Unit is still down one attorney and only recently regained a full staff of law clerks. One of those law clerks is studying for the bar exam and has a reduced workload. The assigned law clerk has reviewed the record for the instant case, but additional time is needed to thoroughly brief Appellant's claims for this Court.

Due to the above-described circumstances, Respondent respectfully requests the Court's permission for an extension of time of twenty (20) days to file its Answering Brief, making the State's response due to be filed on or before Monday, July 23, 2018. This motion is made in good faith and not for purposes of undue delay.

Dated this 2nd day of July, 2018.

Respectfully submitted,

STEVEN B. WOLFSON

Clark County District Attorney

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK

Chief Deputy District Attorney

Nevada Bar #006528

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 2nd day of July, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

BRIAN VASEK, ESQ.
Counsel for Appellant

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

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

JEV/Ann Dunn/jg