

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES COOPER,)	Electronically Filed
)	Jan 09 2018 10:49 a.m.
Appellant,)	Elizabeth A. Brown
)	Clerk of Supreme Court
vs.)	Case No. 72091
)	
THE STATE OF NEVADA,)	
)	
Respondent.)	

**APPELLANT'S MOTION FOR ELEVEN DAY
EXTENSION OF TIME TO FILE OPENING BRIEF**

Comes Now Appellant JAMES COOPER, by and through Deputy Public Defender SHARON G. DICKINSON, and moves for an eleven (11) day extension of time from Monday, January 8, 2018, through and including Friday, January 19, 2018, within which to file the Opening Brief in this case. This Motion is based upon the attached Declaration of counsel.

DATED this 8 day of January, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By /s/ Sharon G. Dickinson
SHARON G. DICKINSON, #3710
Deputy Public Defender

DECLARATION OF SHARON G. DICKINSON

1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.

2. Prior to today, I obtained one 30 day continuance, making the brief due today, January 8, 2018. Before obtaining this continuance, on July 27, 2017, I filed a motion informing the court that the briefing schedule was rendered moot due to the court recorders/reporter's delay in filing requested transcripts. Court issued an order granting additional time and directing Mr. Cooper to file his Opening Brief by December 7, 2017. Thereafter, Court granted our request for a 30 day continuance to January 8, 2017. Thus, this is my second request for a continuance after receiving all the documents.

3. Today I am asking for a continuance of 10 days to complete and finalize the Opening Brief because I have not completed all the research needed, have not started writing the brief, and still need to complete the reading of the appendix. Although Mr. Cooper and I established a way to communicate by telephone, I still need to finish reading the transcripts and discussing the case with him. I have addressed my request for a continuance

of 11 days with Mr. Cooper and he agrees that additional time is needed so that he will have sufficient time to go over the record with me.

4. Another reason for the delay in the completion of this brief is because I filed numerous other documents during the past 40 days and handled an oral argument. During December and January, I completed: (1) Howard v. State, Case No. 73500, Opening Brief filed on 12/21/17; (2) Holmes v. State, Case No. 69923, Petition for Rehearing filed on 12/18/17; (3) Holmes v. State, Case No. 69923, Petition for En Banc filed on 01/03/18; (4) Morgan v. State, Case No. 70424, oral argument held on 12/18/17; (5) Simpson v. State, Case No. 73200, Opening Brief filed on 12/06/17; and (6) Mubarek v. State, case No. 71060, Petition for Rehearing filed on 12/06/17.

5. Another reason for the request of 11 days is because the time period falls within a three day weekend.

6. This Motion for Extension is made in good faith and not for the purpose of delay. I am requesting a 11 day extension of time within which to complete and file the Opening Brief based on the above circumstances.

///

///

///

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 8 day of January, 2018.

/s/ Sharon G. Dickinson
SHARON G. DICKINSON

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 8 day of January, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS

SHARON G. DICKINSON
HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

JAMES COOPER
NDOC No. 1174054
c/o Three Lakes Valley Conservation Camp
P.O. Box 208
Indian Springs, NV 89070

BY /s/ Carrie M. Connolly
Employee, Clark County Public
Defender's Office