

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES COOPER,)	Electronically Filed
)	Jan 18 2018 04:22 p.m.
Appellant,)	Elizabeth A. Brown
)	Clerk of Supreme Court
vs.)	Case No. 72091
)	
THE STATE OF NEVADA,)	
)	
Respondent.)	

**APPELLANT’S MOTION FOR ONE BUSINESS DAY
EXTENSION OF TIME TO FILE OPENING BRIEF DUE TO
CHANGING CIRCUMSTANCES**

Comes Now Appellant JAMES COOPER, by and through Deputy Public Defender SHARON G. DICKINSON, and acknowledges Court’s Order requiring the filing of the Opening Brief on Friday, 01/19/18, but asks Court to reconsider and extend time by one (1) business day due to changed circumstances beyond Counsel’s control. A one business day extension would allow for the filing of the Opening Brief on Monday 01/22/18. This Motion is based upon the attached Declaration of counsel.

DATED this 18 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. On 01/17/18, this Court issued an Order denying my request for an 11 day extension but allowed me to file the Opening Brief on Friday, 01/19/18 - tomorrow. When I filed the motion for an extension on 01/09/18 I was in good health. On Sunday, 01/14/18, I fell ill and spent almost the entire day off my feet. On Monday I thought I was getting better but then took a sick day on Tuesday 01/16/18. The symptoms I am experience lead me to believe I have an ear infection, sinus infection, sore throat, and/or a virus. On Tuesday 01/16/18 I had such a headache that I could not read the appendix and could only work on Mr. Cooper's brief briefly. Today, Thursday 01/18/18 I am feeling better but as I write this I still have a slight headache, sore throat, and do not feel 100%. However, I will continue working on Mr. Cooper's Opening Brief. But, because of my health condition I do not anticipate being able to complete it by tomorrow – thus I am filing this request for an extension early.

3. As of today, I still need to complete reading the appendix and finalize the issues – I unfortunately lost all my research on one of the

issues. Two of the issues I am raising are areas that I have not researched in the past. Mr. Cooper also contacted me today and discussed another issue he wants added to the brief-- an issue we did not previously address.

4. I am asking this Court to allow me to file the Opening Brief on Monday 01/22/18. As long as the illness does not get any worse and as long as I am able to work on the case through the weekend, I anticipate I will complete it by Monday.

5. This Motion for Extension is made in good faith and not for the purpose of delay. I am requesting an additional one business day extension 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 18 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 18 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