

Accordingly, Counsel moves for a one (1) day extension of time from Monday, 01/22/18, through and including Tuesday, 01/23/18, within which to file the Opening Brief in this case.

DATED this 22 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. On 01/18/18, I filed a motion for a one business day extension from 01/19/18, seeking to file the Opening Brief today, Monday, 01/22/18. In my motion for an extension I noted that 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 motion for an extension that I filed on 01/18/18, asking the Court to allow me to file the Opening Brief today was prefaced on my health getting better and allowing me to continue working.

3. Although my health began improving, it was not until Sunday 01/21/18 I felt close to 100%. Because of this I am asking the Court to allow me one additional day to file the Opening Brief, allowing me to file it on Tuesday 01/23/18.

4. I worked all week and all weekend on the Opening Brief but still need to complete three issues. One of these issues was raised by Mr. Cooper when I spoke to him on Friday 01/19/18. Based on our discussion on Friday, I agreed to include the issue he wanted in the Opening Brief. As of today, I am still working on that issue.

5. Also since requesting an extension to file the brief, I found numerous errors in the appendix for the staff to fix. On Friday, 01/19/18, I gave the clerk changes to the appendix. On Saturday, 01/20/18, and Sunday, 01/21/18, I found numerous problems with the appendix involving missing pages of trial transcripts that diminished my ability to complete several issues and my Statement of Facts. Today, I gave this information to staff and I spent at least one hour changing my appendix and going through some of my notes. I would like additional time to revise my notes and double check my facts because the appendix was just completed with the changes this morning.

6. The illness I had was a circumstance beyond my control. Likewise, the problems with the appendix were unexpected and not something I normally encounter. Thus, an additional one day continuance is requested. My secretary advises me that we can file the appendix today and the Opening Brief tomorrow morning.

7. This Motion for Extension is made in good faith and not for the purpose of delay. I am requesting an additional one day extension to complete and file the Opening Brief on 01/23/18 based on the above circumstances.

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

EXECUTED on the 22 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 22 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.