

DECLARATION OF HOWARD S. BROOKS

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. A jury convicted Javier Righetti of Attempt Robbery, Battery With Intent to Commit Sexual Assault, First Degree Kidnapping, Attempt Sexual Assault With a Child Under 16 Years of Age; Sexual Assault With a Child Under 16 Years of Age; Robbery With Use of a Deadly Weapon; First Degree Kidnapping With Use of a Deadly Weapon; Sexual Assault With a Child Under 16 Years of With Use of a Deadly Weapon; Sexual Assault with a Child Under 16 Years of Age With Use of a Deadly Weapon; and First Degree Murder With Use of a Deadly Weapon.

3. The jury sentenced Righetti to death for the crime of First Degree Murder With Use of a Deadly Weapon.

4. The Judgment of Conviction was filed May 8, 2017. The Clark County Clerk's Office filed the Notice of Appeal the same day.

5. The Opening Brief is currently due to be filed October 5, 2017.

6. The Record on Appeal consists of 51 volumes containing more than 11,000 pages.

7. To date, I have reviewed 2,200 pages of the 11,000 page record.

8. My progress on this matter has been delayed, in part, by the fact that I am also working to complete an appeal of the Michael Johnson v. State matter, Case No. 72401, where the record is also voluminous. I have just sought and received a

continuance for the filing of the Opening Brief in that matter, which is now due in November.

9. The Righetti matter is a complicated case involving ten criminal convictions. I am hoping I can complete the review of the complicated and voluminous record and prepare the Opening Brief within ninety-nine (99) days. Therefore, I am requesting a continuance to January 12, 2018.

10. This Motion for Extension is made in good faith and not for the purpose of delay.

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

EXECUTED on the 5th day of October, 2017.

/s/ Howard S. Brooks
HOWARD S. BROOKS

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 5th day of October, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
STEVEN S. OWENS

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:

JAVIER RIGHETTI
NDOC NO: 1177953
c/o Ely State Prison
P.O. Box 1989
Ely, NV 89301

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