



### **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. Javier Righetti was convicted 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 today, February 26, 2018.

6. On January 12, 2018, I filed a motion to continue due to the necessity of reviewing an extensive record of approximately 12,500 pages. I had reviewed 8500 pages as of January 12. I estimated at that time that I would be able to complete the review of the record and write the appeal by the end of February. I have been able to complete the review of the 12,500 page record, but I failed to correctly predict how long this task would take and I also did not anticipate that the flu that I

experienced in December would recur, in part, in late January, which has frustrated my ability to timely complete this project. I am currently in the process of writing the appeal, but have found that some of the issues to be raised in this appeal are not the ordinary issues raised in the appeal of a first degree murder conviction; therefore, the research on certain topics is taking, and will continue to take, more time than usual.

7. This is a large project, and I am confident that the appeal can be fully researched and written within 45 days.

8. 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 26 day of February, 2018.

/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 26 day of February, 2018. 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