

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

THE STATE OF NEVADA,  
Appellant/Cross-Respondent,

v.

WILLIAM LESTER WITTER,  
Respondent/Cross-Appellant.

Electronically Filed  
Nov 08 2017 04:20 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 73431

**MOTION FOR ENLARGEMENT OF TIME**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for an enlargement of time within which to file State's Opening Brief. This motion is based on the following memorandum and all papers and pleadings on file herein.

Dated this 8<sup>th</sup> day of November, 2017.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ Steven S. Owens  
STEVEN S. OWENS  
Chief Deputy District Attorney  
Nevada Bar # 004352  
Office of the Clark County District Attorney

## **MEMORANDUM**

I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Pursuant to NRAP 31(b)(3), an initial request for an extension of time to file an Opening Brief will be granted upon a written motion and clear showing of good cause. The State's Opening Brief in the instant appeal is due on today's date, November 8, 2017, and this is the State's first request for an extension of time. The State requests 60 days such that its Opening Brief in this capital case be due instead on January 8, 2017. As good cause for the extension, there are several preliminary motions pending that should be resolved prior to briefing on the merits. So far, this includes a motion to consolidate appeals, a motion to dismiss the State's appeal, and a motion to suspend briefing to which the State has filed a non-opposition. The determination of these motions will directly impact whether the State may proceed with an Opening Brief at all and what issues will be included.

WHEREFORE, the State respectfully requests that a 60-day extension of time be granted.

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Dated this 8<sup>th</sup> day of November, 2017.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ Steven S. Owens*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on November 8, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT  
Nevada Attorney General

DAVID ANTHONY  
Assistant Federal Public Defender

STEVEN S. OWENS  
Chief Deputy District Attorney

BY /s/ E.Davis

Employee,  
Clark County District Attorney's Office

SSO//ed