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IN THE SUPREME COURT OF THE STATE OF NEVADA

GARY LAMAR CHAMBERS

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.Ct. No. 73446

D.C. No. C29298-1

Electronically Filed
Mar 27 2018 07:42 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME TO FILE

OPENING BRIEF

(SECOND REQUEST)

COMES NOW Appellant, GARY LAMAR CHAMBERS, by and through his counsel in this matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the second time for an enlargement of time of sixty (60) days from March 26, 2018 to file Appellant's Opening Brief making said Brief due May 25, 2018. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 26th day of March, 2018.

Respectfully submitted,

/s/ Jean J. Schwartzer

JEAN J. SCHWARTZER, ESQ.

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jean.schwartzter@gmail.com

Counsel for Appellant

1 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned case.
2 Pursuant to NRAP 31(b)(3), this Court may grant a second motion for extension of time
3 for filing an Opening Brief upon a showing of extreme need or extraordinary
4 circumstances. This is Appellant's second request for an extension of time to file his
5 Opening Brief.

6 With respect to extreme need or extraordinary circumstances, counsel was
7 extremely ill during the months of September, October and November and had surgery
8 in late November. Additionally, the trial transcripts in this case were not even produced
9 until October 30, 2017 due to the court reporter's workload and need to outsource the
10 production of transcripts. This was the reason for the first extension requested by
11 Appellant.

12 Following surgery in November, Counsel was only able to work part time in
13 December and January. Counsel had a second surgery in late January, 2018. On
14 February 3, 2018, counsel fell and tore her incision. What initially appeared to be a
15 minor but painful complication turned into a serious infection and on February 7, 2018,
16 counsel was transported to Southern Hills Hospital Emergency Room for treatment.
17 The following day, counsel was seen by her surgeon and due to the infection, the
18 incision ultimately had to be completely opened resulting in a deep open wound near
19 her the base of her spine. The wound not only kept counsel in constant pain but it also
20 required packing and dressing every 30-60 minutes around the clock due to drainage.
21 This prevented counsel from working for approximately one month. The wound is still
22 open although counsel has resumed work part time. 1

23 Additionally, from March 26, 2018 through March 30, 2018, counsel's five year
24 old is out of school and from March 30, 2018 to April 6, 2018, counsel's three year old
25 is out of school.

26 ///

27 ///

28 1 If this Court would like documentation of the above referenced events, counsel can
provide medical records.

1 Therefore, Appellant moves for an enlargement of time of sixty (60) days within
2 which to file Appellant's Opening up to and including May 25, 2018.

3 This Motion is made in good faith and not for the purposes of undue delay.

4 I declare under penalty of perjury the factual representations set forth in the
5 foregoing memorandum are true and correct.

6 Dated this 26th day of March, 2018.

7
8 Respectfully submitted,

9 /s/ Jean J. Schwartzer

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17 Counsel for Appellant
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2 **CERTIFICATE OF SERVICE**

3 I certify that on March 26th, 2018, an electronic copy of the foregoing
4 MOTION FOR ENLARGEMENT OF TIME was sent via the master transmission list
5 with the Nevada Supreme Court to the following:

6
7 ADAM LAXALT, ESQ.
Nevada Attorney General

8 STEVEN S. OWENS, ESQ.
9 Chief Deputy District Attorney

10
11 /s/ Jean J. Schwartz
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