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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. C292987-3

Electronically Filed
Aug 16 2018 02:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME TO FILE
VOLUME XIV OF APPELLANT'S APPENDIX
(FIRST 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 first time for an enlargement of time of twelve (12) days from August 3, 2018 to file Volume XIV Appellant's Appendix Brief making said Request due August 15, 2018. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 16th day of August, 2018.

Respectfully submitted,

/s/ Jean J. Schwartzer
JEAN J. SCHWARTZER, ESQ.
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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 first or initial motion for extension
3 of time for filing an Opening Brief upon a clear showing of good cause. This is
4 Appellant's first request for an extension of time to file Volume XIV of the Appellant's
5 Appendix.

6 With respect to good cause, counsel was unaware of the existence of a missing
7 portion of the trial transcript until August 1, 2018. This portion included reading in the
8 previous preliminary hearing testimony of a witness who was unavailable at trial.
9 Counsel was provided the missing portion of the transcript on August 3, 2018, the day
10 the Opening Brief and Appendix were due. Counsel attached the new portion of the
11 transcript to the otherwise complete Appendix and filed it in thirteen volumes. However,
12 upon further review, it appears that the missing portion of the transcript does not
13 actually contain the verbatim reading of the preliminary hearing transcript and instead,
14 only contains a reference to the preliminary hearing transcript. Therefore, Appellant
15 needs to file an additional volume of his appendix, which would include the preliminary
16 hearing transcript and needs an additional twelve (12) days to file the Volume XIV of
17 the Appellant's Appendix.

18 Appellant moves for an enlargement of time of twelve (12) days within which to
19 file Volume XIV of the Appellant's Appendix up to and including August 15, 2018.

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

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

Dated this 16th day of August, 2018.

Respectfully submitted,

/s/ Jean J. Schwartzer

JEAN J. SCHWARTZER, ESQ.

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CERTIFICATE OF SERVICE

I certify that on August 16th, 2018, an electronic copy of the foregoing
MOTION FOR ENLARGEMENT OF TIME was sent via the master transmission list
with the Nevada Supreme Court to the following:

ADAM LAXALT, ESQ.
Nevada Attorney General

STEVEN S. OWENS, ESQ.
Chief Deputy District Attorney

/s/ Jean J. Schwartzer
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