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

RICHARD KILGORE,  
Appellant/Cross-  
Respondent,  
  
vs.  
  
ELENI KILGORE,  
Respondent/Cross-  
Appellant.

Case No.: 73977

District Court Case No. 13-278171-0  
Appeal from the Eighth Judicial District  
Court, the Honorable Clerk of Supreme Court  
presiding

Electronically Filed  
Nov 06 2018 10:21 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**RESPONDENT/CROSS-APPELLANT'S OPPOSITION TO  
APPELLANT/CROSS RESPONDENT'S MOTION FOR AN EXTENSION  
OF TIME**

Respondent/Cross-Appellant, ELENI KILGORE, by and through her  
counsel, Fred Page, Esq., hereby submits her Response to Appellant/Cross-  
Respondent, Richard Kilgore's Motion for an extension of time in which to file his  
Reply Brief and his Answering Brief to Respondent/Cross-Appellant's Opening  
Brief.

DATED this 5<sup>th</sup> day of November 2018

PAGE LAW OFFICE



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(702) 469-3278  
Attorney for Respondent/Cross-Appellant

## Memorandum of Points and Authorities

### I. Appellant/Cross-Respondent's Request For An Extension Of Time Should Be Denied

Appellant/Cross-Respondent has filed four motions for an extension of time which to file the Opening Brief. The dates of the four prior motions filed by Appellant/Cross-Respondent seeking extensions of time were February 27, 2018, June 6, 2018, June 19, 2018, and August 1, 2018.

On November 1, 2018, after the deadline for filing the Reply Brief to the Answering Brief to the Opening Brief for the appeal and the Answering Brief to the Cross Appeal, Appellant/Cross-Respondent filed a motion requesting an extension of one day in which to file the respective Briefs. In the motion, Appellant/Cross-Respondent alleged that the Briefs were completed but had to deal with the holiday, that the date was mis-calendared and requested a one day extension, to November 2, 2018. *See* Mot. at page 1, lines 24-28.

November 2, 2018, passed without either the Reply Brief to the Answering Brief to the Opening Brief for the appeal or Answering Brief to the Opening Brief for the cross-appeal being filed by Appellant/Cross-Respondent.

NRAP 31(3)(A)(i)-(v) provides that a motion for extension of time for filing a brief may be made no later than due and must include the date when the brief is due, the number of extensions previously granted, when the brief was originally

1 due, the reasons or grounds why an extension is necessary, and; the length of the  
2 extension

3 Appellant/Cross-Respondent indicated the date the brief was due (October  
4 31, 2018), but Appellant/Cross Respondent filed the motion, (1) after the deadline  
5 for requesting extensions had passed (per NRAP 31(3)(A)(i)9-(v)), (2) did not  
6 specify the number of extensions of time previously requested, and (3) failed to  
7 meet the deadline of a one day extension (November 2, 2018) requested in the  
8 motion.  
9

10 Respondent/Cross-Appellant has filed one prior opposition to motions by  
11 Appellant/Cross-Respondent, which was to the fourth request by Appellant/Cross-  
12 Respondent for an extension an extension of time in which to file the Opening  
13 Brief. Based upon the foregoing, Respondent/Cross-Appellant requests that  
14 Appellant/Cross-Respondent's motion for extension should be denied.  
15

16 DATED this 5<sup>th</sup> day of November 2018  
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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Page Law Office and that on November 5, 2018, I electronically filed with the Supreme Court a true and correct copy of the above and foregoing **RESPONDENT/CROSS-APPELLANT'S RESPONSE TO MOTION FOR AN EXTENSION OF TIME**

I further certify that on November 5, 2018, I served a true and correct copy of the above and foregoing **RESPONDENT/CROSS-APPELLANT'S RESPONSE TO MOTION FOR AN EXTENSION OF TIME** via e-service and U.S. Mail, postage prepaid, to the following:

Betsy Allen, Esq.  
P.O. Box 46991  
Las Vegas, Nevada 89114  
Attorney for Appellant/Cross-Respondent



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An employee of Page Law Office