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Elizabeth A. Brown
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IN THE SUPREME COURT OF THE STATE OF NEVADA

IVONNE CABRERA,)	
)	Case No.: 74341
Appellant,)	
)	
vs.)	
)	ERRATA TO 01.29.2019 MOTION
THE STATE OF NEVADA,)	TO LATE FILE BY FIVE DAYS
)	
Respondent.)	
_____)	

COMES NOW, Patricia M. Erickson, counsel for Appellant Ivonne Cabrera, and respectfully submits that the January 29, 2019 motion to late file contained several errors which should be corrected.

On p.5 of the late motion, paragraph 3 stated “[w]hen undersigned counsel began her research on January 18, 2019 ...” Actually, counsel began the new research on whether preclusion of appropriate jury instructions and then closing arguments violated the Sixth Amendment on January 23, 2019 which was the date that was on counsel’s calendar to file the reply brief.

When counsel wrote the motion to late file, she must have noted the court's January 18th deadline from the last order which lead to the inclusion of the incorrect date in the motion to late file. However, in preparing the late file motion, counsel was not looking at the dates of the research but was focused on the search words, the number of searches and the number of cases reviewed. Counsel just knew that, according to the date in her last motion to extend, the reply brief was submitted five days late.

Today, as counsel was completing her billing regarding preparation of the reply brief, she realized that the research date noted in the motion to late file was incorrect. Counsel then realized that the motion to late file should have been from January 18, 2019 until January 29, 2019 which is a total of seven court days or eleven actual days.

Counsel apologizes for these inadvertent mistakes. Counsel did not look carefully at the Court's last order but noted that her motion had been granted. As counsel had requested a filing date of January 23, 2019 that is where she moved the reply brief on her calendar.

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Consequently, counsel included the wrong date for beginning the new research and did not request this Court permit the late filing of the reply brief by either seven court days or eleven actual days.

DATED this 3rd day of February, 2019.

Respectfully Submitted,

/s/ Patricia M. Erickson

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 3rd day of February, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven Owens, Clark County Chief Deputy District Attorney

Aaron D. Ford, Attorney General

Patricia M. Erickson

/s/ Patricia M. Erickson
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