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

CALVIN ELAM,  
Appellant,  
vs.  
STATE OF NEVADA,  
Respondent.

Case No. 74581

**APPELLANT'S MOTION TO  
ENLARGE TIME TO FILE  
OPENING BRIEF AND  
APPENDIX (2<sup>nd</sup> Request)**

Appellant CALVIN ELAM, by and through his counsel, THOMAS A.  
ERICSSON, ESQ., respectfully submits this Motion to Enlarge Time to File  
Opening Brief and Appendix.

**FACTUAL AND PROCEDURAL BACKGROUND**

On April 17, 2015, a grand jury charged Appellant Calvin Elam with the  
following crimes: (1) Conspiracy to Commit Kidnapping; (2) First Degree  
Kidnapping with Use of a Deadly Weapon; (3) Assault with a Deadly Weapon; (4)  
Unlawful Use of an Electronic Stun Device; (5) Battery with Intent to Commit  
Sexual Assault; (6) Sexual Assault with Use of a Deadly Weapon; (7) Attempt  
Sexual Assault with Use of a Deadly Weapon; and (8) Ownership or Possession of  
Firearm by Prohibited Person. The Appellant proceeded to trial on June 19, 2017,

1 and the jury rendered guilty verdicts on Counts 1, 2, 3, and 5. The jury rendered  
2 not guilty verdicts on Counts 4, 6, and 7. The State elected not to proceed on Count  
3 8, and the State requested that the Court dismiss it.  
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5 On October 19, 2017, the District Court sentenced the Appellant as follows:  
6 Count 1- 24 to 72 months in NDOC; Count 2- 5 years to Life in prison, plus a  
7 consecutive term of 60 to 180 months for the use of a deadly weapon, Count 2 to  
8 run concurrent with Count 1; Count 3- 12 to 72 months in NDOC, Count 3 to run  
9 consecutive to Count 2; Count 5- 2 years to Life in prison, Count 5 to run  
10 consecutive to Count 3. Counts 4, 6, and 7 are dismissed. Count 8 is dismissed  
11 without prejudice. The aggregate total sentence is 13 years to Life in prison.  
12 Further ordered, the District Court imposed a special sentence of lifetime  
13 supervision upon release of any term of imprisonment, probation, or parole.  
14 Additionally, the Appellant must register as a sex offender after release from  
15 custody. The District Court filed the Judgment of Conviction on October 31, 2017,  
16 and the Appellant filed a timely Notice of Appeal on November 13, 2017.  
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21 The Opening Brief and Appendix are currently due on May 2, 2018, but  
22 Appellant requests that this Court extend the time for filing the Opening Brief and  
23 Appendix by ten (10) days.  
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Nevada Rule of Appellate Procedure 26(b)(1)(A) provides in relevant part:

The Appellant's Opening Brief and Appendix are currently due on May 2, 2018. This is the second request to extend the briefing schedule.

Due to the nature of the instant case, Counsel requires additional time to finish researching and drafting the issues. Unfortunately, Counsel requires more time than previously anticipated in the first request for an extension. Counsel believes that ten (10) days will be adequate to finalize the Opening Brief and Appendix.

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DATED this 2<sup>nd</sup> day of May, 2018.

/s/ Thomas A. Ericsson  
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## CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 2, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT  
Nevada Attorney General

STEVEN S. OWENS  
Chief Deputy District Attorney

THOMAS ERICSSON  
Counsel for Appellant

By:           /s/ Rachael Stewart            
An employee of Oronoz & Ericsson LLC