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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  
REPLY BRIEF (First Request)**

Appellant CALVIN ELAM, by and through his counsel, THOMAS A.  
ERICSSON, ESQ., respectfully submits this Motion to Enlarge Time to File Reply  
Brief to September 13, 2018.

**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 not  
2 guilty verdicts on Counts 4, 6, and 7. The State elected not to proceed on Count 8,  
3 and the State requested that the Court dismiss it.  
4

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 run  
8 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 consecutive  
10 to Count 3. Counts 4, 6, and 7 are dismissed. Count 8 is dismissed without prejudice.  
11  
12 The aggregate total sentence is 13 years to Life in prison. Further ordered, the  
13 District Court imposed a special sentence of lifetime supervision upon release of any  
14 term of imprisonment, probation, or parole. Additionally, the Appellant must  
15 register as a sex offender after release from custody. The District Court filed the  
16 Judgment of Conviction on October 31, 2017, and the Appellant filed a timely  
17 Notice of Appeal on November 13, 2017.  
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21 On May 31, 2018, the Appellant filed his Opening Brief and Appendix. On  
22 July 31, 2018, the Respondent filed its Response Brief and Appendix.  
23

24 On July 24, 2018, Counsel's law partner suffered an injury that required  
25 emergency surgery to reattach a severed tendon. The recovery has not gone as  
26 planned, which has caused Counsel to cover all meetings and court appearances for  
27 his partner since the date of the injury.  
28

1 At this time, Counsel requests an additional fourteen (14) days to file the  
2 Appellant's Reply Brief, which would make the Reply due on September 13, 2018.

3  
4 **ARGUMENT**

5 **Good cause exists to enlarge the time to file the Appellant's Reply Brief.**

6 Nevada Rule of Appellate Procedure 26(b)(1)(A) provides in relevant part:  
7

8 For good cause, the court may extend the time prescribed by  
9 these Rules or by its order to perform any act, or may permit an  
10 act to be done after that time expires.

11 Good cause exists to grant this request to extend the briefing schedule by  
12 fourteen (14) days to be due on September 13, 2018.

13 On July 24, 2018, Counsel's law partner had an accident that required  
14 emergency surgery to reattach a severed tendon. Since the surgery, the recovery  
15 has not gone as smoothly as planned. Counsel's partner has been unable to attend  
16 work and court for the past four weeks. Consequently, Counsel has been forced to  
17 cover all hearings and meetings for his partner since the date of the injury.  
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19 Therefore, good cause exists to grand this request for an additional fourteen  
20 (14) days to finalize and file the Reply Brief.  
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DATED this 30<sup>th</sup> day of August, 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 August 30, 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