

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

JAVAR KETCHUM,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

Electronically Filed  
Sep 28 2018 08:31 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 75097

**MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his deputy district attorney, JOHN NIMAN, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 28<sup>th</sup> day of September, 2018.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ John T. Niman  
JOHN T. NIMAN  
Deputy District Attorney  
Nevada Bar #014408  
Office of the Clark County District Attorney

## **MEMORANDUM**

I, JOHN NIMAN, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due September 28, 2018. This is an appeal from a murder conviction following a five-day jury trial. This Court may extend time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3).

The State herein makes its first request for an enlargement of time. The State requests thirty (30) additional days to include October 29, 2018, within which to file Respondent's Answering Brief. If granted, the new filing date for the State's Answering Brief would be October 29, 2018.

The defense has no objection to the continuation. Further, Appellant's Opening Brief raises three (3) complicated issues that require a thorough examination of the record and of related case law. Therefore, the State hereby makes this first request to extend time to allow additional time to review the appellate record and thoroughly brief Appellant's claims for this Court. This motion is made in good faith and not for the purposes of undue delay.

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

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Dated this 28<sup>th</sup> day of September, 2018.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ John T. Niman*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on September 28, 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

NICHOLAS M. WOOLDRIDGE, ESQ.  
Counsel for Appellant

JOHN T. NIMAN  
Deputy District Attorney

BY /s/ J. Garcia  
Employee,  
Clark County District Attorney's Office

JTN/Andrea Orwoll/jg