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Electronically Filed
Dec 12 2018 04:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

JAVAR ERIS KETCHUM,
Appellant,

vs.

STATE OF NEVADA,
Appellee,

Supreme Court No. 75097

District Court Case No. C319714

**APPELLANT'S MOTION TO
EXTEND TIME FOR FILING
REPLY BRIEF**

COMES NOW, Appellant Javar Eris Ketchum, by and through his undersigned counsel, and pursuant to NRAP 27 and 31(b)(3), and respectfully requests an extension of time to file his Reply Brief. The Reply Brief is currently due on December 12, 2018. The Court previously granted a telephonic extension. Through this motion, Appellant requests a further thirty (30) day extension of time up to and including January 11, 2019 in which to file his Reply Brief to allow counsel to complete the Reply.

A. FACTS

Undersigned counsel's law firm is usually composed of three lawyers, inclusive of the undersigned. On or about the middle of November, 2018, two of the lawyers in the undersigned's office left to start their own firm with little to no warning or notice to the undersigned. This drastically increased the undersigned workload. Making it difficult to stay abreast of writing assignments.

While extension of time for calendar conflicts and press of business are not favored by the Court, the reason for the delay happened unexpectedly. Consequently, good cause is established to grant the instant motion. This is the final request for an extension of time and we do not expect any further delays. There is no risk of prejudice to the State of Nevada or to the Client from granting of this motion.

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1 **B. APPLICABLE LAW**

2 NRAP 27 and NRAP 31(b)(3) permits a party to file motion to seek an
3 extension of time to file a brief. This motion satisfies the requirements of NRAP 27
4 and 33(3)(A).
5

6 As detailed in the previous section, good cause exists as counsel unexpectedly
7 suffered a major staffing issue that made it difficult to manage the firm's work and
8 case-load.
9

10 Undersigned counsel has contacted the deputy assigned, Jonathon
11 VanBoskerck, to respond to Mr. Ketchum's appeal via telephone and email to
12 ascertain the State's position on the present motion. Mr. VanBoskerck responded
13 via email that he has no opposition to the extension of time. See Exhibit A.
14
15

16 This request is not made for any dilatory purpose, but is necessary to protect the
17 interests of the Appellant.
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CONCLUSION

WHEREFORE, the Appellant respectfully requests that this Court grant this extension request and extend the time to file the opening brief up to and including January 11, 2019.

The foregoing does not include the social security number of any person.

DATED this 12th day of December 2018. JAVAR ERIS KETCHUM,
by his attorney,

/s/ Nicholas M. Wooldridge

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Jonathon VanBoskerck Esq.
Chief Deputy District Attorney
200 Lewis Ave.
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An employee of Wooldridge Law, Ltd.

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Supreme Court No. 75097

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**DECLARATION IN SUPPORT
OF MOTION FOR EXTENSION
OF TIME**

I, Nicholas M. Wooldridge, hereby depose and say the following:

1. I am over the age of eighteen (18) and believe in the obligations of an oath.
2. I am the Appellant's counsel of record.
3. I represented the Appellant in the proceedings in the district court, including at trial and sentencing.

1 4. On or about the middle of November of 2018, two lawyers in the
2 undersigned three lawyer firm left the firm to start their own practice.
3 This created a unexpected amount of work for the undersigned as he
4 scrambled to complete work, manage the firm, and complete the
5 Appellants Reply Brief.
6

7
8 5. There is no risk of prejudice to the State of Nevada or to the Client
9 from granting of this motion.

10
11 6. The State has communicated to the undersigned that it has no
12 opposition to the 30 day extension of time. See Exhibit A.

13
14 7. Accordingly, to allow sufficient time to prepare a proper reply brief
15 and due to the unexpected position counsel found himself in when two
16 lawyers left the three lawyer firm, I respectfully request that the Court
17 extend the due date for filing the opening brief until January 11, 2010.
18

19 8. This request is not made for any dilatory purpose, but is necessary to
20 protect the interests of the appellant.
21

22 I swear under the penalty of perjury under the laws of the State of Nevada
23 that the foregoing is true and accurate to the best of my knowledge and
24 belief.
25

26 ///

27 ///

1 Dated this 12th day of December 2018.

/s/ Nicholas M. Wooldridge

3 Nicholas M. Wooldridge, Esq.
4 Wooldridge Law, Ltd.

EXHIBIT A

EXHIBIT A

Jonathan VanBoskerck <Jonathan.VanBoskerck@clarkcountyda.com>

Wed 12/12/2018 3:48 PM

To: Nicholas Wooldridge <nicholas@wooldridgelawlv.com>;

No objection. Sorry I didn't get back to you sooner but I was in a meeting.

From: Nicholas Wooldridge [mailto:nicholas@wooldridgelawlv.com]

Sent: Wednesday, December 12, 2018 2:36 PM

To: Jonathan VanBoskerck <Jonathan.VanBoskerck@clarkcountyda.com>

Subject: Re: Ketchum, Javar (75097)

Jonathon,

Would you consent to a 30 day extension on the Reply brief? Its due today. I need another 30 days, I had two lawyers that were working for me that recently left and I had to pick up much of the slack.

Respectfully,

Nicholas Wooldridge | Attorney

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From: Jonathan VanBoskerck <Jonathan.VanBoskerck@clarkcountyda.com>

Sent: Monday, September 24, 2018 8:31:25 AM

To: Nicholas Wooldridge

Subject: Ketchum, Javar (75097)

I am the deputy DA assigned to this appeal. We will likely need more time to file the RAB. Do you have an objection to a 30 day extension? If you don't, my intent is to file a motion requesting an extension that notes that you have no objection. Please let me know. Thank you.

Jonathan E. VanBoskerck

Chief Deputy District Attorney

Appellate Division

