

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEITH BARLOW

Electronically Filed
Jul 30 2020 08:32 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appellant,

vs.

THE STATE OF NEVADA

Respondent.

Docket No. 77055

Direct Appeal From A Judgment of Conviction
Eighth Judicial District Court
The Honorable Douglas Herndon
District Court No. C-13-290219-1

**MOTION FOR EXTENSION OF TIME TO FILE
REPLY BRIEF (FIRST REQUEST)**

JoNell Thomas
State Bar #4771
Special Public Defender
Navid Afshar
State Bar #14465
Deputy Special Public Defender
Clark County Special Public Defender Office
330 South 3rd Street
Las Vegas, NV 89155
(702) 455-6265
Attorneys for Barlow

COMES NOW, Appellant, Keith Barlow, by and through his attorney JoNell Thomas, Special Public Defender, and respectfully moves this Honorable Court for an extension of time of 60 days, up to and including September 29, 2020, to file Appellant's Reply Brief.

This Motion is made and based upon the Points and Authorities contained herein, and Declaration attached hereto.

DATED July 30, 2020.

SUBMITTED BY:

/s/ JONELL THOMAS

JoNell Thomas
State Bar #4771
Navid Afshar
State Bar #14465
Clark County Special Public Defender Office
330 South 3rd Street
Las Vegas, NV 89155
(702) 455-6265
Attorneys for Barlow

STATEMENT OF FACTS

Mr. Barlow's Reply Brief is due July 31, 2020. Appellant is requesting an extension of time of 60 days to file the Reply Brief.

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POINTS AND AUTHORITIES

SCR 250(6(e) states as follows:

“(e) The supreme court may grant an initial extension of time of up to 60 days to file a brief upon a showing of good cause, but shall not grant additional extensions of time except upon a showing of extraordinary circumstances and extreme need.”

Appellant is requesting his first extension of time to file the Reply Brief for 60 days, up to and including September 29, 2020 based on the reasons set forth in the Declaration of Counsel attached hereto.

CONCLUSION

Based on the Declaration attached hereto, Mr. Barlow requests an extension of time to file his Reply Brief.

DATED July 30, 2020.

SUBMITTED BY:
/s/ JONELL THOMAS

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Attorneys for Barlow

DECLARATION OF JONELL THOMAS

JONELL THOMAS, hereby declares as follows:

1. I am an attorney duly licensed to practice law in the State of Nevada and I am the Special Public Defender for the Clark County Special Public Defender's Office. I am handling Mr. Barlow's capital appeal. I am receiving assistance from Mr. Afshar, but I retain primary responsibility for this appeal because it is a capital case and Mr. Afshar is not qualified under SCR 250 to handle capital appeals.

2. Mr. Barlow's Reply Brief is due July 31, 2020. I am requesting an extension of time (60 days) to file the brief based on the following reasons:

a. as the Special Public Defender, it has become overwhelming operating the office during a pandemic, including but not limited to transforming the office to teleworking which necessitated IT needs for direct access to the office from home for attorneys and support staff;

b. in the past few weeks, I have had to handle several personnel issues that have arisen unexpectedly;

c. since the pandemic resulted in closure of courts to the public, I have been addressing trial and court appearance issues, and assisting others with novel and complex legal issues presented by the pandemic; and

d. as the fiscal year ended, I have been dealing with several complex budget

cuts and financial matters.

Additionally, this is a death penalty case and therefore it necessitates a thorough analysis and research.

I declare that I make this request in good faith and not for purposes of undue delay.

/s/ JONELL THOMAS

JONELL THOMAS
Nevada Bar #4771

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on 7/30/2020, a copy of the foregoing Motion for Extension of Time to File Reply Brief (First Request) was served by electronic filing to: Clark County District Attorney's Office and the Nevada Attorney General's Office.

/s/ JONELL THOMAS

JONELL THOMAS