

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

JUN 27 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

1
2
3 DAMON CAMPBELL,

CASE NO. 39127

4 Appellant,

5 vs.

MOTION FOR EXTENSION OF
TIME TO FILE APPELLANT'S
OPENING BRIEF AND APPENDIX

6 THE STATE OF NEVADA,

7 Respondent.
8

9 COMES NOW, Appellant, DAMON CAMPBELL, by and through his
10 attorney, DAVID M. SCHIECK, ESQ., and moves this Court for an
11 Order granting an extension of 30 days, up to and including
12 July 31, 2002, to file Appellant's Opening Brief and Appendix.

13 This Motion is made and based upon NRAP 26(b), the
14 Affidavit filed herewith, and the Points and Authorities
15 attached hereto.

16 DATED this 25 day of June, 2002.

17 SUBMITTED BY:

[Signature of David M. Schieck]

18 DAVID M. SCHIECK, ESQ.
19 302 E. Carson Ave., #600
20 Las Vegas, Nevada 89101
21 Attorney for Appellant

22 STATEMENT OF FACTS

23 A previous extension was granted by Stipulation and
24 Appellant's Opening Brief is due July 1, 2002. Due to the
25 facts set forth in counsel's affidavit attached hereto, 30 days
26 is requested to file Appellant's Opening Brief and Appendix.
27
28

RECEIVED

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David M. Schieck
Attorney At Law
302 E. Carson Ave., Ste. 600
Las Vegas, NV 89101
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POINTS AND AUTHORITIES

NRAP 26(b) states as follows:

"(b) *Enlargement of time.* The court for good cause shown may upon motion enlarge the time prescribed by these rules or by its order for doing any act, or may permit an act to be done after the expiration of such time...."

CONCLUSION

Appellant requests an extension of 30 days to file his Opening Brief and Appendix, up to and including July 31, 2002.

DATED this 25 day of June, 2002.

Respectfully submitted,

By: 

DAVID M. SCHIECK, ESQ.
302 E. Carson Ave., #600
Las Vegas, Nevada 89101
Attorney for Appellant

AFFIDAVIT OF COUNSEL

STATE OF NEVADA)

) ss:

COUNTY OF CLARK)

DAVID M. SCHIECK, ESQ., being first duly sworn, deposes and says:

That Affiant is an attorney duly licensed to practice law in the State of Nevada, and attorney for Appellant CAMPBELL.

That CAMPBELL'S Opening Brief and Appendix are due July 1, 2002.

That Affiant is also court appointed in Morrison adv. State, a murder trial in District Court which lasted through

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1 the first week of June. That Affiant has been working on
2 supplemental petitions in capital habeas corpus cases which are
3 due in the next several weeks. Pursuant to Supreme Court Rule
4 250 Affiant must give priority to capital cases.

5 That Affiant had to prepare and testify in a capital
6 habeas corpus case wherein Petitioner claimed ineffective
7 assistance of counsel against Affiant.

8 That Affiant requests an extension of 30 days to file the
9 Opening Brief and Appendix.

10 That Affiant makes this request in good faith and not for
11 purposes of delay.


12 Further Affiant sayeth naught.

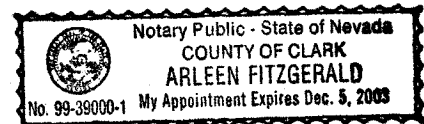


DAVID M. SCHIECK

16 SUBSCRIBED AND SWORN to before me

17 this 25 day of June, 2002.

18 
19 NOTARY PUBLIC




David M. Schieck
Attorney At Law
302 E. Carson Ave., Ste. 600
Las Vegas, NV 89101
(702) 382-1844

CERTIFICATE OF MAILING

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I, KATHLEEN FITZGERALD, do hereby certify that on the 25
day of April, 2002, I did deposit in the United States Post
Office at Las Vegas, Nevada, a copy of the above and foregoing
Motion, enclosed in a sealed envelope upon which first class
postage was fully prepaid, addressed to the following: Clark
County District Attorney, 200 S. Third St., Las Vegas NV
89155; and Nevada Attorney General, 100 N. Carson St., Carson
City NV 89701-4717.


KATHLEEN FITZGERALD
an employee of David Schieck, Esq.