

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

LAMAR ANTWAN HARRIS,  
Appellant,

vs.

STATE OF NEVADA,  
Respondent.

No. 70679

Electronically Filed  
Jan 25 2019 10:47 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION FOR EXTENSION OF TIME IN WHICH  
TO FILE APPELLANT'S SUPPLEMENTAL OPENING BRIEF**

COMES NOW, Appellant, LAMAR A. HARRIS, by and through his counsel of record, pursuant to NRAP 31(b)(3), and respectfully requests that the period of time in which to submit his Supplemental Opening Brief be extended to January 25, 2019, so that the Supplemental Brief may be filed simultaneously herewith. The Supplemental Opening Brief was due on or about September 23, 2018. The Supplemental Opening Brief is being submitted simultaneously with this Motion. This is the first request for an extension of time for the Supplemental Opening Brief. This motion is based on the attached declaration of counsel.

DATED this 25<sup>th</sup> day of January, 2109.

CARLING LAW OFFICES, PC

*Matthew D. Carling, Esq.*

MATTHEW D. CARLING, ESQ.

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*Attorney for Appellant,*  
LAMAR A. HARRIS

**DECLARATION OF COUNSEL**

I, Matthew D. Carling, do declare as follows:

1. I represent Appellant, Lamar A. Harris, in this matter. The Court of Appeals reversed and remanded this matter on November 16, 2017. The State filed a Petition for Review. The Petition was granted on May 3, 2018.

2. The Order granting the petition requested the Appellant file a Supplemental Brief within 30 days of the Order. Counsel for Mr. Harris was under the impression that the State was the party to file the Supplemental Brief as the case was reversed and remanded based on the Court of Appeals' decision.

3. On August 10, 2018, this Court again asked the Appellant to submit a Supplemental Brief within 20 days. Again, counsel for Mr. Harris failed to review the original order and subsequent order in detail. As a result, counsel failed to realize that Mr. Harris was still the Appellant and, as such, asked to submit a Supplemental Brief.

4. Counsel for Mr. Harris realized his error over Christmas Break 2018 and began to review the case and conduct additional research that would potentially assist this Court in making a decision.

5. Counsel regrets this oversight and requests that this Court accept the Supplemental Brief as directed in this Court's orders dated May 3, 2018 and August 10, 2018.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED this 25<sup>th</sup> day of January, 2019.

CARLING LAW OFFICES, PC

*Matthew D. Carling, Esq.*

MATTHEW D. CARLING, ESQ.

Nevada Bar No. 007302

*Attorney for Appellant,*

LAMAR A. HARRIS

### **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 25<sup>th</sup> day of January, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

STEVEN B. WOLFSON

Clark County District Attorney

ADAM PAUL LAXALT  
Nevada Attorney General

MATTHEW D. CARLING  
Counsel for Appellant

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LAMAR A. HARRIS