

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

MARLO THOMAS,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

Electronically Filed  
Jul 24 2019 10:54 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CASE NO: 77345

**MOTION FOR ENLARGEMENT OF TIME**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, 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 and all papers and pleadings on file herein.

Dated this 24<sup>th</sup> day of July, 2019

Respectfully submitted,

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

BY /s/ Steven S. Owens  
STEVEN S. OWENS  
Chief Deputy District Attorney  
Nevada Bar #004352  
Office of the Clark County District Attorney

## **MEMORANDUM**

I, STEVEN S. OWENS, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office. I am the supervising attorney in the above-captioned case. Respondent's Answering Brief is currently due on Wednesday, July 24, 2019. The State is requesting a 60-day extension of time in which to file its Answering Brief. SCR250(7)(d) and NRAP 31(b)(3)(D) provide that this Court may grant an initial motion for an extension of time of up to sixty (60) days for filing a brief in a capital case upon showing of good cause.

This is the State's first request for an enlargement of time. If granted, the new filing date for Respondent's Answering Brief would be due on or before Monday, September 23, 2019.

Appellant filed his Opening Brief on June 17, 2018. Appellant's Opening Brief raises multiple issues related to the death penalty and contains a thirty-five-volume appendix, requiring 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.

Due to the above-described circumstances, Respondent respectfully requests the Court's permission for an extension of time of 60 days to file its Opening Brief,

making the State's response due to be filed on or before September 23, 2019. This is Respondent's first Motion for Enlargement of Time, and this motion is made in good faith and not for purposes of undue delay.

Dated this 24<sup>th</sup> day of July, 2019

Respectfully submitted,

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

BY */s/ Steven S. Owens*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on July 24, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

JOANNE DIAMOND  
JOSE GERMAN  
Assistant Federal Public Defenders

STEVEN S. OWENS  
Chief Deputy District Attorney

BY /s/ E. Davis

Employee,  
Clark County District Attorney's Office

SSO/Andrea Orwoll/ed