

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD SAMUEL PUNDYK,
Appellant,

vs.

THE STATE OF NEVADA,
Respondent.

No. 77587 Electronically Filed
May 05 2019 10:36 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE THE OPENING BRIEF
AND JOINT APPENDIX

Appellant, by counsel, hereby moves for an extension of time of 30 days to and including June 5, 2019, within which to file Appellant's Opening Brief and Joint Appendix. The reasons for this request are set forth in the attached declaration.

DATED this 5th day of May 2019.

JOHN L. ARRASCADA
Washoe County Public Defender

By: JOHN REESE PETTY, Chief Deputy
Nevada State Bar Number 10
350 South Center Street, 5th Floor
Reno, Nevada 89501
(775) 337-4827
jpetty@washoecounty.us

DECLARATION OF COUNSEL

I declare under penalty of perjury that the following is true and correct:

1. I am a Chief Deputy in the Washoe County Public Defender's Office; I am the appellate attorney for Washoe County Public Defender's Office; and I am Appellant's counsel in this direct appeal.

2. Appellant's Opening Brief and Joint Appendix are due on May 6, 2019. I have previously received a 30-day extension of time to file the opening brief and appendices. I am requesting an additional 30-day extension of time from May 6, 2019 to June 5, 2019.

3. In April I completed and filed three opening briefs and companion appendixes (Patel v. State, 77147; Foulks v. State, 77705; and Doran v. State, 77224 as well as a reply brief in Corniel v. State, 76593. On May 1, 2019 I filed an Answer Against Issuance of Requested Writ in State v. Second Judicial District Court (Harriel), 78591. Completing these briefs took time away from my work on this appeal. Outside of the office, in April I prepared for and participated in the Spring meeting of the Board of Bar Examiners, and I prepared for and on May 4, 2019, co-presented a Supreme Court and Court of Appeals criminal case review at

the 2019 Annual Seminar of the Nevada District Court Judges Association (NDJA).

4. Additionally, I am currently working on a number of other appellate cases that are at various stages in the appellate process.

5. Additionally, on a daily basis I am working on other matters that affect the Washoe County Public Defender's Office and criminal defense including, but not limited to, monitoring and participating in crafting responses and positions on various pieces of proposed legislation currently before the 80th Legislature.

6. This motion seeks an extension of 30 days to June 5, 2019.

7. Respondent does not oppose this motion for an extension of time.

8. This motion for an extension of time is made in good faith and not solely for the purpose of delay.



JOHN REESE PETTY

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 5th day of May 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jennifer P. Noble, Chief Appellate Deputy
Washoe County District Attorney's Office

I further certify that I served a copy of this document by mailing a true and correct copy thereof to:

Mr. Edward Samuel Pundyk (#1207257)
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301

John Reese Petty
Washoe County Public Defender's Office