

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
DEPARTMENT OF CORRECTIONS,

Appellant,

vs.

PATRICIA DEROSA,

Respondent.

Supreme Court No. 77704

District Court No. 18-000130-1B

Electronically Filed
Sep 11 2019 09:52 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME

Appellant, STATE OF NEVADA *ex rel.* its DEPARTMENT OF CORRECTIONS, moves this Honorable Court for an order granting an extension of time to file Appellant's reply brief. This motion is made pursuant to NRAP 31(b)(3).

Pursuant to NRAP 31(b)(3)(A), Appellant provides the following information for the Court's consideration.

The reply brief is currently due on September 17, 2019.

Appellant has requested and received one prior telephonic extension pursuant to NRAP 31(b)(1). That request for extension was granted on August 28, 2019, and granted Appellant a 14-day extension from the original due date of September 3, 2019.

No prior request for extension has been denied or denied in part.

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Appellant respectfully requests this extension due to current staffing shortages. The undersigned is currently covering two vacant attorney positions in the office in addition to her own. Appellant submits that Respondent will not be prejudiced or otherwise harmed by this extension because the principle issue in this case concerns procedural matters in petitions for judicial review and does not impact Respondent's employment status with Appellant as she remains currently employed. Further, counsel for Respondent has stated that he has no objection to the request for extension of time, pursuant to an email communication dated September 10, 2019. *See* Exhibit 1, attached. For these reasons, Appellant submits that extraordinary and compelling circumstances are present and demonstrated. *See* NRAP 26(b)(1)(B); NRAP 31(b)(3)(A)(iv).

Appellant requests an additional 30-day extension of time which would make the reply brief due on October 17, 2019.

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Based on the foregoing, the undersigned respectfully requests this Court extend the Appellant's reply brief filing date to October 17, 2019. The undersigned certifies that this request is made in good faith and not for the purpose of unreasonable delay.

DATED this 11th day of September, 2019.

AARON D. FORD
Attorney General

By: /s/ Cameron Vandenberg
CAMERON P. VANDENBERG
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Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on this 11th day of September 2019, I have caused a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME** to be electronically filed and served upon the following through the Court's electronic filing system:

Thomas J. Donaldson, Esq.
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Carson City, Nevada 89703
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/s/ Kahra Stenberg
An employee of the State of Nevada,
Office of the Attorney General