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VS.

**CASE NO.: 77751**

**MOTION FOR EXTENSION OF TIME FOR  
FILING APPELLANT’S OPENING BRIEF**

This Motion is made and based the Affidavit of Todd M. Leventhal, Esq., and all of the pleadings and papers on file herein. The Affidavit of Todd M. Leventhal, as stated below provides good cause for which is the basis of this motion.

//

**AFFIDAVIT OF TODD M. LEVENTHAL**

TODD M. LEVENTHAL, upon being duly sworn states as follows:

1. I am an attorney licensed to practice in and before all courts in and of the State of Nevada and California, counsel for JEMAR D. MATTHEWS, Appellant, in this matter. I offer this Affidavit in support of Appellant. I have direct personal knowledge of the facts set forth herein and, if called upon to do so, can and will competently testify thereto.
2. Appellant's Opening Brief is currently due May 28, 2019.
3. The issues raised in the Opening Brief currently requires extensive fact finding research and investigation, as well as extensive case law research, to which I have been diligently applying myself. As the issues raised in the Brief may set precedence on all future matters relating to Appellant and/or any other party who finds themselves in similar litigation. I wish to present to the Court a complete and comprehensive analysis of the facts, legislative enactment and case law which provides the Court with the entire picture necessary for it to render an opinion.
4. Appellant's re-trial commenced September 24, 2018 and lasted 8 days. With the granting of this extension request to July 28, 2019, I

will be able to file a complete and comprehensive Opening Brief.

5. Providing a sixty (60) day extension will not harm Appellant's standing, and the relief requested is not for purposes of delay, tactical advantage or any improper purpose.

6. This is Appellant's first request for extension.

7. Mr. Matthews is currently incarcerated at High Desert State Prison,  
P.O. Box 650, Indian Springs, NV 89108

8. FURTHER, AFFIANT SAYETH NAUGHT.

/s/ Todd M. Leventhal

TODD M. LEVENTHAL

Subscribed and Sworn to before me  
this 8<sup>th</sup> day of May 2019.

/s/ Maribel Godinez

Notary Public State of Nevada

Appt. No. 09-10522-1

Appt. Exp. 07/10/2021

1 Based upon the foregoing, the undersigned respectfully requests this Court  
2 grant Appellants MOTION FOR EXTENTION OF TIME FOR FILING  
3 APPELANT'S OPENING BRIEF.  
4

5 DATED: May 8, 2019.  
6

7 LEVENTHAL AND ASSOCIATES, PLLC.  
8  
9  
10

11 By: /s/ Todd M. Leventhal  
12 TODD M. LEVENTHAL, ESQ.  
13 Nevada Bar No.: 8543  
14 California Bar No: 223577  
15 626 S. Third St.  
16 Las Vegas, NV 89101  
17 702-472-8686  
18 Leventhalandassociates@gmail.com  
19 Attorney for *Appellant*  
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on May 8, 2019, I electronically filed the MOTION FOR EXTENTION OF TIME FOR FILING APPELANT'S OPENING BRIEF with the Clerk of Court using the CM/ECF system, which will cause the document to be served to all participants in the case who are registered CM/ECF users.

/s/ Todd M. Leventhal

TODD M. LEVENTHAL, ESQ.  
NEVADA BAR NO.: 8543  
CALIFORNIA BAR NO.: 223577  
Leventhal and Associates, PLLC.  
626 S. Third St.  
Las Vegas, NV 89101  
702-472-8686  
Leventhalandassociates@gmail.com  
Attorney for *Appellant*

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

JEMAR MATTHEWS  
Reg. No.:1014654  
PO Box 650  
Indian Springs NV 89070-0650  
*Appellant*

/s/ Maribel Godinez

An Employee of Leventhal and Associates, PLLC.