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IN THE SUPREME COURT OF THE STATE OF NEVADA

J.E. JOHNS & ASSOCIATES, a Nevada
business entity; and A.J. JOHNSON, an
individual,

Appellants/Cross-Respondents,

vs.

JOHN LINDBERG, an individual;
MICHAEL LINDBERG, an individual; and
JUDITH L. LINDBERG, an individual,

Respondents/Cross-Appellants.

Appellate Court No. 78086
District Court Case No. CV15-00281
Electronically Filed
Mar 21 2019 04:59 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE DOCKETING STATEMENT

Pursuant to NRAP 14, Respondents/Cross-Appellants John Lindberg, Michael Lindberg, and Judith L. Lindberg, by and through their undersigned counsel, John D. Moore, Esq., of Moore Law Group, PC, make this motion to extend the time to file their Docketing Statement by 1 (one) day, to and including March 21, 2019. This motion is made and based upon the following points and authorities, and the papers and pleadings on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND

On February 25, 2019, Respondents/Cross-Appellants filed their Notice of Appeal (“Appeal”) in the Second Judicial District Court from the Order Amending Judgment After Hearing. On February 28, 2019, the Appeal was docketed in the Supreme Court. No formal notice was issued to Respondents/Cross-Appellants regarding the time frame for filing their Docketing Statement and counsel for Respondents/Cross-Appellants calendared the normal 20-day deadline, making the Docketing Statement due on March 20, 2019.

Sometime in early March 2019, the undersigned double checked the deadline for filing the Docketing Statement and the Nevada Rules of Appellate Procedure found online stated a 21-day

1 deadline from the docketing of an appeal for filing of the Docketing Statement. The calendaring for
2 the deadline was changed and the undersigned caused the Docketing Statement to be filed on March
3 21, 2019.

4
5 The Docketing Statement was accepted for filing on March 21, 2019, and the Court's Notice
6 of Rejection of Filed Document followed the same day citing the late filing. Upon receipt of the
7 rejection notice, the undersigned's staff spoke with the court's staff and learned that the 21-day
8 deadline for filing a Docketing Statement went into effect on March 1, 2019. The 20-day deadline
9 was still in effect on February 28, 2019, the date Respondents/Cross-Appellants' Appeal was
10 docketed with the Supreme Court.

11 Respondents/Cross-Appellants' Docketing Statement is being refiled following the filing of
12 this Motion.

13 **II. ARGUMENT**

14 Due to the change of deadline for filing a Docketing Statement and the one-day difference
15 causing a late filing by Respondents/Cross-Appellants, because a reference to the NRAP online was
16 used, the Docketing Statement was inadvertently filed late. Respondents/Cross-Appellants
17 respectfully request that the Court allow consideration of this motion to extend the filing deadline by
18 one day.

19
20 Wherefore, Respondents/Cross-Appellants respectfully request that their Docketing
21 Statement be accepted for filing.

22 DATED this 21st day of March, 2019.

23 MOORE LAW GROUP, PC

24 By: /s/ John D. Moore _____

25 John D. Moore, Esq.

26 Nevada State Bar No. 8581

3715 Lakeside Drive, Ste. A

27 Reno, Nevada 8959

(775) 336-1600

28 john@moore-lawgroup.com

Attorney for Respondents/Cross-Appellants

CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of Moore Law Group, PC, and that on March 21, 2019, I caused the foregoing document to be served on all parties to this action by:

X E-service via Nevada Supreme Court eflex filing system

to the following:

Glade Hall, Esq.
John Moore, Esq.

/s/ Genevieve DeLucchi

An Employee of Moore Law Group, PC

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