

IN THE SUPREME COURT OF THE STATE OF NEVADA

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SIAOSI VANISI

Petitioner/Appellant,

vs.

WILLIAM GITTERE, Warden,  
Ely State Prison; AARON  
FORD, Attorney General of  
Nevada, et al.,

Respondents/Appellees.

Electronically Filed  
Jun 26 2019 01:26 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court No. 78209

District Court Case No. CR98-0516

(Death Penalty Habeas Corpus  
Case)

REQUEST FOR EXTENSION OF TIME WITHIN WHICH  
TO FILE APPELLANT'S OPENING BRIEF

Appellant, Siaosi Vanisi, by and through his counsel of record,  
hereby requests an extension of time of ninety (90) days, to and  
including

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September 26, 2019, to file his Opening Brief. This request is supported by the attached declaration of counsel.

DATED this 26th day of June, 2019.

Respectfully submitted,

/s/ *Randolph M. Fiedler*  
RANDOLPH M. FIEDLER  
Assistant Federal Public Defender  
Nevada Bar No. 12577  
411 E. Bonneville Ave., Suite 250  
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702-388-6577

## DECLARATION OF RANDOLPH M. FIEDLER

I, Randolph M. Fiedler, declare as follows:

1. I am an attorney at law, admitted to practice before this Court and employed by the Capital Habeas Unit of the Federal Public Defender, District of Nevada. I am assigned to represent Siao Si Vanisi in this matter.

2. The Opening Brief is currently due today, June 28, 2019. I am seeking an extension of time of ninety (90) days, up to and including September 26, 2019 within which to file and serve this Opening Brief.

3. I am requesting this 90-day continuance because case-related responsibilities have prevented from devoting adequate time to prepare Mr. Vanisi's case. Specifically, since filing the Notice of Appeal in this Case, I have had the following obligations: a Motion for Relief from Judgment Pursuant to Fed. R. 60(b) in *Adams v. Gittere*, No. 2:98-cv-01441-KJD-PAL (D. Nev.) on March 15, 2019; a Motion to Alter or Amend Judgment Pursuant to Fed. R. Civ. P. 59(e) in *Hampton v. Ryan*, No. CV-14-02504-PHX-ROS (D. Ariz.) on Mar. 28, 2019; a Brief in Opposition in *Gittere v. Echavarria*, No. 18-756 (U.S.) on April 12, 2019;

a Motion for Leave to File Reply to State's Response to Notice of Supplemental Authorities and the corresponding reply in *Ybarra v. Gittere*, No. 3:00-cv-0233-GMN-VPC (D. Nev.); a Reply to Response to Motion to Alter or Amend Judgment Pursuant to Fed. R. Civ. P. 59(e) in *Hampton v. Ryan*, No. CV-14-02504-PHX-ROS on May 20, 2019. In addition, I have had substantial responsibilities in anticipation of: an evidentiary hearings in *Adams v. Gittere*, No. 85C069704 (8th Jud. D. Ct. Nev.); an evidentiary hearing in *Williams v. Gittere*, No. 2:98-cv-00056-APG-VCF (D. Nev.); and a Second Amended Petition in *Moore v. Gittere*, No. 2:13-cv-0655-JCM-CWH (D. Nev.), which has a July 8, 2019 deadline.

4. To fulfill my ethical obligations to Mr. Vanisi, I need additional time to prepare his Opening Brief. The extension requested here will allow me to complete this pleading in accordance with our office's duty to provide Mr. Vanisi with adequate representation and with our office's obligation to assist this Court in adjudicating Mr. Vanisi's case. This request is not made for the purposes of delay, or for any other improper

purpose, but only to ensure that this office provides competent representation. Nev. R. Prof. Conduct 1.1.

5. On June 26, 2019, I contacted opposing counsel, Jennifer P. Noble, Chief Appellate Deputy via e-mail. She indicated no opposition to this request.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 26, 2019.

DATED this 26th day of June, 2019.

Respectfully submitted,

/s/ *Randolph M. Fiedler*  
RANDOLPH M. FIEDLER  
Assistant Federal Public Defender

## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 26th day of June, 2019, electronic service of the foregoing REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE APPELLANT'S OPENING BRIEF shall be made in accordance with the Master Service List as follows:

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Appellate Deputy  
Nevada Bar No. 9446  
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Joseph R. Plater  
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/s/ *Jeremy Kip*

An Employee of the  
Federal Public Defender,  
District of Nevada