

## Docket 78731 Document 2019-47849

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

**I, JASON C. MAKRIS, ESQ., do declare as follows:**

1. Declarant is an attorney duly licensed to practice in the State of Nevada.

2. On May 20, 2019, this Court filed a limited remand for designation of Counsel by the Eighth Judicial District Court.

3. On May 23, 2019, Caesar Almase, Esq., was initially appointed as Appellant Counsel for Appellant CHRISTOPHER BLOCKSON.

4. On June 05, 2019, this Court issued a Briefing Schedule for Appellant to File an Opening Brief and Appendix.

5. On August 15, 2019, this Court granted a telephonic extension of time to file Appellant's Opening Brief to August 29, 2019.

6. On August 23, 2019 and August 29, 2019, Notices were filed regarding the Transcripts Requested from the Eighth Judicial District Court Reporters in this matter.

7. On August 29, 2019, a Notice of Appearance as Appointed Appellate Counsel was filed, which this Court granted on September 04, 2019 and Ordered the Opening Brief filed by October 21, 2019.

8. On October 21, 2019, Appellant Filed his Second Request for Extension of time which this court granted, providing until November 21, 2019, in which to file his Opening Brief and Appendix.

9. During the interim, I experienced several with the office computer software, after updating it, including issues with the Adobe Software used to prepare the Opening Brief and Appendix in accordance with the NRAP requirements.

1           10.    The issues were just resolved, and have not provided Counsel with  
2 sufficient time to properly prepare and file the Opening Brief and Appendix.

3           11.    I am now asking, based upon the extenuating circumstances  
4 supporting good cause, that this Court to provide an additional thirty (30) days  
5 Pursuant to NRAP 26 and NRAP 27 and based upon good cause, in which to file  
6 the Opening Brief and Appendix.

7           I declare under penalty of perjury that the foregoing is true and correct to the  
8 best of my knowledge and belief.

9           **DATED** this 21st day of November, 2019.

10  
11                               /s/ Jason C. Makris  
12                               JASON C. MAKRIS, ESQ.  
13                               Nevada Bar No. 11192  
14                               MAKRIS LEGAL SERVICES, LLC  
15                               Appointed Attorney for Appellant  
16                               CHRSTOPHER BLOCKSON

17                               ***MEMORANDUM OF POINTS AND AUTHORITIES***

18                               **I.**

19                               **PROCEDURAL HISTORY AND LEGAL AUTHORITY**

20           RAP 26(b)(1) provides that “[f]or good cause, the court may extend the time  
21 prescribed by these rules or by its order to perform any act or may permit an act to  
22 be done after that time expires.” In addition, where a stipulation with the opposing  
23 party may not be obtained, NRAP 31(b)(3)(A) provides the requirements of all  
24 information that this Court requires in determining whether to grant an extension  
25 of time, including a demonstration of extraordinary and compelling circumstances.  
26 See NRAP 31(b)(3)(A)(iv).

27           Finally, NRAP 26(b)(1)(B) provides that a “[ ] grant of an extension of time  
28 to perform an act under this Rule will bar any further extensions of time to perform  
the same act unless the party files a written motion for extension of time

1 demonstrating extraordinary and compelling reasons why a further extension of  
2 time is necessary.”

3 As noted in Counsel’s declaration, extraordinary and compelling  
4 circumstances exist due to the fact the Appellant’s Counsel’s computer update  
5 damaged the Adobe Software used to properly prepare the Opening Brief and  
6 Appendix in accordance with the NRAP Requirements. Due to the only recent  
7 repair by Counsel’s IT personnel, good cause supports the motion for extension of  
8 time.

9 **II.**

10 **CONCLUSION**

11 Therefore, Pursuant to NRAP 26 and NRAP 27, good cause supports this  
12 Court’s granting Appellant’s Motion for Extension of Time to file the Opening  
13 Brief and Appendix to December 21, 2019.

14 **DATED** this 21st day of November, 2019.

15  
16 /s/ Jason C. Makris  
17 JASON C. MAKRIS, ESQ.  
18 Nevada Bar No. 11192  
19 MAKRIS LEGAL SERVICES, LLC  
20 *Appointed Attorney for Appellant*  
21 CHRISTOPHER BLOCKSON  
22  
23  
24  
25  
26  
27  
28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

/s/ Jason Makris  
An Employee of Makris Legal Services, LLC