

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL PATRICK LATHIGEE,

Appellant,
vs.

BRITISH COLUMBIA
SECURITIES COMMISSION,

Respondent.

No. 78833

Electronically Filed
Aug 09 2021 06:49 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**AMENDED MOTION FOR EXTENSION OF TIME FOR THE
COURT TO RECEIVE WRITTEN NOTICE FROM THE
CLERK OF THE UNITED STATES SUPREME COURT OF
APPELLANT'S FILED PETITION FOR A
WRIT OF CERTIORARI
(First Request)**

Appellant, Michael Patrick Lathigee ("Appellant"), by and through his counsel of record, John W. Muije & Associates, Claggett & Sykes Law Firm, and Riser Adkisson LLP, respectfully move this Honorable Court, pursuant to NRAP 26(b)(1)(B), for an extension of 10 days, until August 20, 2021, to allow this Court to receive written notice from the clerk of the United States Supreme Court of Appellant's filed petition for a writ of certiorari.

On April 27, 2021, this Court granted Appellant's motion to stay issuant of the remittitur pending application of a petition for a writ of

certiorari to the United State Supreme Court to the extent that this Court received written notice by August 10, 2021, from the clerk of the United States Supreme Court of Appellant's filed petition for a writ of certiorari to continue the stay until final disposition of the certiorari proceedings. *See* **Exhibit 1**.

On August 5, 2021, Appellant electronically submitted his petition for a writ of certiorari and overnighted a copy of the cert petition along with a check for the \$300.00 docket fee pursuant to the United States Supreme Court's instruction. *See* **Exhibit 2**. And, on August 9, 2021, the cert petition was docketed. *See* **Exhibit 3**.

Good cause exists to grant the requested extension in order to allow this Court to receive written notice from the clerk's office of Appellant's filed cert petition. Appellant is unsure how long it will take the clerk's office to notify this Court.

This motion is submitted in good faith and for good cause shown in accordance with NRAP 26(b)(1)(B). For the foregoing reason, Appellant respectfully requests that this Court continue its stay of the issuance of the remittitur for an additional 10 days, until August 20, 2021, to allow sufficient time for this Court to receive written notice of Appellant's filed

cert petition in order to continue the stay of issuance of the remitter until final disposition of the certiorari proceedings.

DATED this 9th day of August 2021.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

Micah S. Echols, Esq.

Nevada Bar No. 8437

4101 Meadows Lane, Suite 100

Las Vegas, Nevada 89107

Telephone: (702) 655-2346

Facsimile: (702) 655-3763

micah@claggettlaw.com

*Attorneys for Appellant,
Michael Patrick Lathigee*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **AMENDED MOTION FOR EXTENSION OF TIME FOR THE COURT TO RECEIVE WRITTEN NOTICE FROM THE CLERK OF THE UNITED STATES SUPREME COURT OF APPELLANT'S FILED PETITION FOR A WRIT OF CERTIORARI (First Request)** was filed electronically with the Supreme Court of Nevada on the 9th day of August 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Michael Patrick Lathigee – Appellant

Jay Adkisson\Riser Adkisson LLP
John W. Muije\John W. Muije & Associates

British Columbia Securities – Respondent

Jennifer Braster\Naylor & Braster
John Naylor\Naylor & Braster
Matthew Pruitt\Alverson Taylor & Sanders
Kurt Bonds\Alverson Taylor & Sanders
Andrew Sharples\Naylor & Braster

/s/Anna Gresl
Anna Gresl, an employee of
CLAGGETT & SYKES LAW FIRM

EXHIBIT 1

EXHIBIT 1

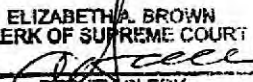
IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL PATRICK LATHIGEE,
Appellant,
vs.
BRITISH COLUMBIA SECURITIES
COMMISSION,
Respondent.

No. 78833

FILED

APR 27 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION TO STAY ISSUANCE OF REMITTITUR

This appeal was resolved on December 10, 2020, and rehearing was denied on March 17, 2021. Appellant has filed an unopposed motion to stay issuance of the remittitur pending application of a petition for a writ of certiorari to the United State Supreme Court. The motion is granted to the following extent. Issuance of the remittitur shall be stayed until August 10, 2021. *See* NRAP 41(b)(3)(B). If the clerk of this court receives written notice by August 10, 2021, from the clerk of the United States Supreme Court that appellant has filed a petition for a writ of certiorari, the stay shall continue in effect until final disposition of the certiorari proceedings. *Id.* If such notice is not received by August 10, 2021, the remittitur shall issue.

It is so ORDERED.

 C.J.

cc: Hon. Adriana Escobar, District Judge
Adkisson PLLC
John W. Muije & Associates
Claggett & Sykes Law Firm
Naylor & Braster
Alverson Taylor & Sanders
Eight District Court Clerk

EXHIBIT 2

EXHIBIT 2

Welcome Micah S. Echols | Sign Out

Summary

* Your Electronic Filing was submitted on 8/5/2021 2:29 PM.

Petition for a Writ of Certiorari - State

Payment: \$300.00

Payment Type: Check **Payment #**

Last Updated Date:

Petitioner:

Lathigee, Michael

Respondent:

British Columbia Securities Commission

State/Territory:

Nevada

Is this a Capital Case?

No

Attorney

Micah S. Echols (Counsel of Record)

Party Name:

Michael Lathigee

Firm:

Claggett & Sykes Law Firm

Address:

4101 Meadows Lane, Suite 100, Las Vegas, NV 89107

Phone #:

7023337777

Email:

Micah@claggettlaw.com

Notifications

jnaylor@naylorandbrasterlaw.com

jbraster@naylorandbrasterlaw.com

kbonds@alversontaylor.com

mpruitt@alversontaylor.com

Jmuije@Muijelawoffice.com

anna@claggettlaw.com

Documents

Petition - Petition for a Writ of Certiorari.pdf

Virus Scan Completed

Certificate Word Count - Certificate of Compliance.pdf

Virus Scan Completed

Proof of Service - Affidavit of Service.pdf

Virus Scan Completed

Supreme Court of the United States

EXHIBIT 3

EXHIBIT 3

Anna Gresl

From: efilingsupport@supremecourt.gov
Sent: Monday, August 9, 2021 11:19 AM
To: Anna Gresl
Subject: Supreme Court Electronic Filing System

A new docket entry, "Petition for a writ of certiorari filed. (Response due September 8, 2021)" has been added for [Michael Patrick Lathigee, Petitioner v. British Columbia Securities Commission](#). You have been signed up to receive email notifications for No. 21-180.

If you no longer wish to receive email notifications on this case, please [click here](#).