

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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CHRISTOPHER SENA,	)	Electronically Filed
	)	Feb 13 2020 03:20 p.m.
Appellant,	)	Elizabeth A. Brown
	)	Clerk of Supreme Court
vs.	)	Case No. 79036
	)	
THE STATE OF NEVADA,	)	
	)	
Respondent.	)	
	)	

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**APPELLANT’S MOTION FOR EXTENSION OF TIME**

**First Request**

Comes Now Appellant CHRISTOPHER SENA, by and through Chief Deputy Public Defender WILLIAM M. WATERS, and hereby moves for a ninety (90) day extension of time from Tuesday, February 18, 2020 through and including April 20, 2020, within which to file the Opening Brief in this case. This Motion is based upon the attached Declaration of counsel.

DATED this 13th day of February, 2020.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By /s/ William M. Waters  
WILLIAM M. WATERS, #9456  
Chief Deputy Public Defender

## **DECLARATION OF WILLIAM M. WATERS**

1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.

2. Appellant's case began when the State filed the criminal complaint on September 19, 2014. The State alleged Appellant's committed 120 offenses over nearly two decades, with the vast majority of offenses carrying a sentence of life in prison. Appellant's case concluded when the district court sentenced Appellant on May 28, 2019, upon conviction after jury trial. The district court sentenced Appellant to life in prison with parole eligibility after 327 years.

3. During the almost five years between the case's inception and its conclusion, both the State and Defendant filed numerous motions in the district court which resulted in extensive argument. Additionally, Appellant's trial initially began on September 5, 2018, before the being aborted by the district court judge and then re-set for January 28, 2019. Appellant's trial began on January 28, 2019 and lasted 17 days with over a dozen witnesses testifying to facts which occurred over two decades.

4. The Clark County Public Defender's Office filed the Notice of Appeal in this matter on June 14, 2019.

5. The Clark County Public Defender's Office filed its Request for Transcripts and Docketing Statement on July 8, 2019, thereby making the Opening Brief due within 120 days (November 8, 2019).

6. On August 27, 2019, District Court Department 19's court reporter filed a request to extend time to file the transcripts. This Court granted the request on September 3, 2019 and ordered the reporter to file the transcripts by October 18, 2019. The Court also ordered the reporter to file her Notice of transcript delivery by October 28, 2019. Additionally, this Court extended the deadline for Appellant to file the Appendix and Opening Brief to January 16, 2020. Department 19's reporter filed her Notice on October 24, 2019 indicating all outstanding transcripts had been delivered.

7. Upon receipt of the transcripts, the Clark County Public Defender's Office complied the Appellant's Appendix which consists of all transcripts in the case as well as all court minutes and all motions filed in the district court. The Appellant's Appendix consists of 29 volumes containing 6,749 pages.

8. On January 8, 2020, Declarant prepared and filed a Stipulation allowing a thirty-day extension until February 18, 2020. The State had no opposition and this Court filed a Notice approving the stipulation.

9. Given the voluminous Appendix in this case, as well as Declarant's other appellate responsibilities, Declarant only recently completed reading the entire Appendix. Declarant has made a preliminary assessment concerning the appealable issues and has begun writing the Opening Brief. While there are numerous issues in Appellant's case, Declarant unfortunately has only been able to conduct general legal research related to the identifiable issues and has not begun briefing these issues. Accordingly, Declarant will be unable to file the Opening Brief by the February 18, 2020 deadline.

10. Given the gravity of Appellant's sentence, the seriousness of offenses alleged, the length of trial, the five years between when the State charged Appellant and when he was ultimately convicted, and the sheer volume of documents associated with Appellant's case, it is imperative that Declarant spend time conducting thorough research into each identifiable issue prior to finalizing the Opening Brief in this matter. Accordingly, Declarant is

requesting a ninety (90) day extension of time within which to prepare and file the instant Opening Brief. This is Declarant's first request for an extension of time and this Motion is made in good faith and not for the purpose of delay.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 13day of February, 2020.

/s/ William M. Waters  
WILLIAM M. WATERS

### **CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 13 day of February, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
ALEXANDER CHEN

WILLIAM M. WATERS  
HOWARD S. BROOKS

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

CHRISTOPHER SENA  
NDOC No. 1217884  
c/o High Desert State Prison  
P.O. Box 650  
Indian Springs, NV 89018

BY /s/ Carrie M. Connolly  
Employee, Clark County Public  
Defender's Office