IN THE SUPREME COURT OF THE STATE OF NEVADA

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Elizabeth A. Brown
Clerk of Supreme Court

JASON BOLDEN,

Appellant,

Vs.

THE STATE OF NEVADA,

Respondent

Docket No. 79715

APPELLANT'S FOURTH MOTION FOR EXTENSION OF TIME FOR FILING OF SUPPLEMENTAL BRIEFING

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Docket 79715 Document 2022-18285

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to NRAP 26(1)(b), this Court may extend any time prescribed by these rules or by its order to perform any act.

This Court previously granted Appellant's Petition for En Banc Reconsideration by an Order filed February 3, 2022. At that time, the Court ordered Appellant to submit Supplemental Briefing on specific issues.

Appellant sought an extension of time through April 19, 2022, for the filing of that Supplement[1]. Appellant obtained an Extension of Time, granted in part, for that supplement to be filed through March 18, 2022.

Due to a clerical error made by Appellant's counsel's assistant, the partially granted extension deadline of June 7, 2022, did not make it to counsel's calendar, and counsel as a result did not file the Supplement by that date. Upon noticing this error, counsel is promptly moving for a brief extension of time. Counsel respectfully requests that this Court extend time for the filing of the Supplement through **June 9, 2022.**

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[1] The first Extension of Time Request erroneously identified that document as being a "Third" request to extend time for the filing of the present Supplement; that was the First request, and this present filing is the Second request to extend time as to the Supplemental Brief.

Good cause and extraordinary circumstances or extreme need justify a Second extension of time for the filing of this Supplement. As identified by the Nevada Public Defender's Office in its *Amicus* filing, the issues to be briefed by supplement are important not only to this case, but to the cases of every other criminal defendant in the State, as it pertains to a (potentially radical) departure from existing law governing evidentiary considerations at preliminary hearings. Due to the importance of the issue, and due to the excusable clerical error identified above, this brief second extension of time is respectfully requested.

DATED this 8th day of June, 2022

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CERTIFICATE OF SERVICE

I hereby certify that I am a person competent to serve papers, that I am not a party to the above-entitled action, and that on June 8, 2022 I served the foregoing document via the Nevada Supreme Court's Eflex system upon all counsel and/or parties registered to receive service in the above-captioned matter.

DATED this 8th day of June, 2022

#9876

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