

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL WHITFIELD,

Petitioner,

vs.

NEVADA STATE PERSONNEL
COMMISSION, STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION,
LORNA WARD, APPEALS OFFICER,
and DEPARTMENT OF CORRECTIONS,
as Employer,

Respondents.

Supreme Court No. 79718
Electronically Filed
Sep 02 2020 11:24 a.m.
Dist. Court Case No. 020-0054
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

**From the Second Judicial District Court
The Honorable Kathleen Drakulich, District Judge**

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
ANSWERING BRIEF (SECOND REQUEST)**

AARON D. FORD
Attorney General
KEVIN A. PICK
Senior Deputy Attorney General
Nevada Bar No. 11683
State of Nevada
Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511
Tel: 775-687-2129
Fax: 775-688-1822
kpick@ag.nv.gov
*Attorneys for State of Nevada,
Department of Corrections*

The current deadline for Respondent, the Nevada Department of Corrections (hereinafter, NDOC) to file its Answering Brief is Wednesday, September 9, 2020. NDOC was previously granted one 30-day extension, done pursuant to stipulation between the parties. Pursuant to NRAP 26(b) and NRAP 31(b)(3), NDOC hereby moves to extend the deadline for NDOC's Answering Brief by two (2) weeks to, and including, September 23, 2020. Counsel for Petitioner has graciously agreed to the requested extension and this motion is therefore unopposed.

Good cause supports the requested extension, which is necessary because of continued limited staff availability at the Attorney General's Office due to the pandemic, which has complicated efforts to prepare the Answering Brief within the previously allotted timeframe. Furthermore, despite due diligence, NDOC requires additional time to fully brief the numerous legal arguments raised in Appellant's Opening Brief, which touches upon many different areas of State law and public policy.

This Motion is made in good faith, and not for purposes of delay. Counsel does not anticipate seeking any further extensions and anticipates filing no later than the requested date of September 23, 2020. As such, based on good cause and the non-opposition of counsel for the Petitioner, the undersigned counsel requests that


* * *

* * *

this Court grant NDOC an additional two (2) week, up to and including, Wednesday, September 23, 2020, to file its Answering Brief.

Dated: September 2, 2020

AARON D. FORD
Attorney General

By: 

KEVIN A. PICK
Sr. Deputy Attorney General
Nevada Bar No. 11683
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

*Attorneys for Respondent State of
Nevada Department of Corrections*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the State of Nevada, Office of the Attorney General and that on the 2nd day of September 2020, I filed and served a true copy of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF (SECOND REQUEST)** through the Supreme Court Electronic Filing System or by U.S. Mail, postage prepaid, to the following:

Kelly H. Dove
Gill Hakn
Snell & Wilmer L.L.P.
3883 Howard Hughes Pkwy., Ste. 1100
Las Vegas, NV 89169
kdove@swlaw.com
gkahn@swlaw.com
Attorneys for Appellant



An Employee of the State of Nevada, Office
of the Attorney General