

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 Electronically Filed
4 Dec 06 2010 02:52 p.m.
5 Tracie K. Lindeman

6 EDWARD MICHAEL ADAMS,)

7 Appellant,)

8 vs.)

9 THE STATE OF NEVADA,)

10 Respondent.)

Case No. 55494


11 APPELLANT'S MOTION FOR EXTENSION OF TIME

12 COMES NOW Appellant EDWARD MICHAEL ADAMS, by and through
13 Deputy Public Defender, P. DAVID WESTBROOK, and moves this
14 Honorable Court to grant a seventy-eight (78) day extension of
15 time from Monday, December 6, 2010 through and including
16 Tuesday, February 22, 2011 within which to file the Opening
17 Brief in the above entitled case.

18 This Motion is based upon the attached Declaration of
19 counsel.

20 DATED this 6th day of December, 2010.

21 PHILIP J. KOHN
22 CLARK COUNTY PUBLIC DEFENDER

23
24 By 
25 P. DAVID WESTBROOK, #9278
26 Deputy Public Defender
27 309 So. Third Street, Suite #226
28 Las Vegas, Nevada 89155-2610
 (702) 455-4685

1 DECLARATION OF P. DAVID WESTBROOK

2 1. I am an attorney licensed to practice law in the
3 State of Nevada; I am a deputy public defender assigned to
4 handle the appeal of this matter; I am familiar with the
5 procedural history of this case.
6

7 2. The Opening Brief was due to be filed on or before
8 Monday, December 6, 2010.

9 3. Mr. Adams was previously housed at Ely State
10 prison. It is my understanding that Mr. Adams was housed at Ely
11 State Prison due to errors on his Judgment of Conviction (JOC).
12 The errors have been corrected and Mr. Adams was re-classified
13 and moved to High Desert State Prison.
14

15 4. Now that Mr. Adams is accessible, he very much
16 wants to meet with me in person so we can effectively go over
17 the record in his case. Mr. Adams wants to take an active roll
18 in his appeal, as is his right.
19

20 5. I have scheduled a face-to-face meeting with Mr.
21 Adams on December 14, 2010. I am requesting a continuance of 78
22 days in order to prepare and file Mr. Adams' opening brief.
23

24 6. I will be on vacation for two weeks during the
25 Christmas holiday. My request for 78 days takes that time away
26 from work into consideration.

27 7. This is an extremely serious case in which Mr.
28 Adams received several consecutive sentences of Life in Prison.

1 8. This request for extension of time is made in
2 good faith and not for the purposes of delay. It is my
3 professional judgment that this continuance is necessary in
4 order to protect Mr. Adams' rights to effective assistance of
5 counsel and to fully participate in his own defense.
6

7 I declare under penalty of perjury that the foregoing
8 is true and correct to the best of my information and belief.
9

10 EXECUTED on the 6th day of December, 2010.

11 

12 P. DAVID WESTBROOK
13

14 **CERTIFICATE OF SERVICE**

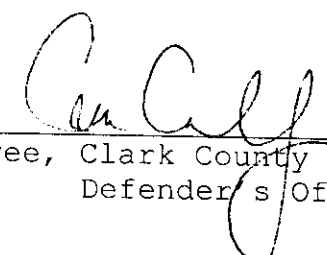
15 I hereby certify that this document was filed
16 electronically with the Nevada Supreme Court on the 6th day of
17 December, 2010. Electronic Service of the foregoing document
18 shall be made in accordance with the Master Service List as
19 follows:

20 CATHERINE CORTEZ MASTO
STEVEN S. OWENS

P. DAVID WESTBROOK
HOWARD S. BROOKS

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

24 EDWARD MICHAEL ADAMS
25 NDOC No. 1046775
26 c/o High Desert State Prison
27 P.O. Box 650
28 Indian Springs, NV 89070

BY 
Employee, Clark County Public
Defender's Office