

IN THE SUPREME COURT OF THE STATE OF NEVADA

EVARISTO GARCIA,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

CASE NO:

Electronically Filed
Jun 02 2021 02:20 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, KAREN MISHLER, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 2nd day of June, 2021.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ Karen Mishler*

KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney

MEMORANDUM

I, KAREN MISHLER, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

This is an appeal from an Order Denying Petition for Writ of Habeas Corpus (Post-Conviction). This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3).

As a preliminary matter, prior to the filing of Appellant's Opening Brief in the instant case, Appellant received an extension. The State's Answering Brief is currently due on June 2, 2021. This is the State's first request for an enlargement of time. The State respectfully moves for an enlargement of time of thirty (30) days, making this brief due on July 2, 2021. The law clerk assigned to the instant appeal needs additional time to become familiar with the record and relevant case law to thoroughly brief the issues for this Court.

Therefore, the State hereby makes its first request to extend time to allow the Answering Brief to be reviewed. This motion is made in good faith and not for the purposes of undue delay.

I declare under penalty of perjury that the factual representations set forth in the foregoing memorandum are true and correct.

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Dated this 2nd day of June, 2021.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Karen Mishler*

KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
P.O. Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2500

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on June 2, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ARRON D. FORD
Nevada Attorney General

EMMA L. SMITH
AMELIA L. BIZARRO
Assistant Federal Public Defenders

KAREN MISHLER
Chief Deputy District Attorney

BY /s/ J. Garcia
Employee, District Attorney's Office

KM/Brittni Griffith/jg