

IN THE SUPREME COURT OF THE STATE OF NEVADA

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| ARMANDO VASQUEZ-REYES, |) | Electronically Filed |
| |) | Jul 28 2020 12:14 p.m. |
| Appellant, |) | Elizabeth A. Brown |
| |) | Clerk of Supreme Court |
| vs. |) | Case No. 80293 |
| |) | |
| THE STATE OF NEVADA, |) | |
| |) | |
| Respondent. |) | |
| |) | |

APPELLANT’S SECOND MOTION FOR EXTENSION OF TIME

Comes Now Appellant ARMANDO VASQUEZ-REYES, by and through Deputy Public Defender AUDREY M. CONWAY, and moves for a thirty-day extension of time within which to file the Opening Brief in this case. This Motion is based upon the attached Declaration of counsel.

DATED this 28th day of July, 2020.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By /s/ Audrey M. Conway
AUDREY M. CONWAY, #5611
Chief Deputy Public Defender

DECLARATION OF AUDREY M. CONWAY

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. Our office filed the Notice of Appeal in this matter on December 31, 2019. After granting a 30-day stipulation to extend the deadline for the filing of the Opening Brief, this Court ordered the Opening Brief to be filed by May 29, 2020, and subsequently granted my request for an extension of sixty days due in part to medical issues. The Opening Brief is due today.

3. Due to ongoing medical issues requiring several additional doctors' appointments since my last extension request, I have been unable to complete the research and writing of the Opening Brief, and I am respectfully requesting a thirty-day extension of time to complete my review of the record and to prepare and file the instant Opening Brief. Some of these appointments and procedures have been delayed due to the ongoing pandemic and the partial shutdown of outpatient treatment at my treating physicians' practices.

4. In addition to ongoing medical issues, I have discovered two omissions from the appellate appendix. On July 17, 2020, I realized that the appellate appendix was incomplete. One transcript had not been included in

the appendix, although it had been ordered and prepared. The appellate secretary is in the process of numbering, indexing, stamping, and copying the missing transcript for incorporation into the appendix. Due to staffing shortages, no other appellate staff member is available to complete this project. The transcript in question is a lengthy day of substantive hearings on several pretrial motions, and will add approximately 100 pages to the appendix. I will require additional time to research and brief the issues addressed at this hearing on April 26, 2018.

In addition, I realized that another transcript is missing. Although this transcript was included in our initial transcript request, it has not been prepared. That transcript has been requested and I am awaiting receipt from the court reporter. This transcript involves a hearing on September 14, 2018, regarding the client's competency.

5. This case involves multiple convictions for sexual assault and lewdness with a minor, and an aggregate sentence of 45 years to life in prison with lifetime supervision. The trial lasted for eight days, and the appellate appendix currently consists of 2,192 pages. My client understands and supports the need for additional time to ensure that all issues are thoroughly researched and briefed. This request for extension of time is made in good faith and not for the purposes of delay. It is the best

professional judgment of the undersigned that this extension is crucial to the perfection of this appeal and to the provision of effective assistance of counsel to this client.

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

EXECUTED on the 28th day of July, 2020.

/s/ Audrey M. Conway

AUDREY M. CONWAY

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 28th day of July, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
ALEXANDER CHEN

AUDREY M. CONWAY
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:

ARMANDO VASQUEZ-REYES
NDOC No: 1227206
c/o High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

BY /s/ Carrie M. Connolly

Employee, Clark County Public
Defender's Office