

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARMANDO VASQUEZ-REYES,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 80293

**MOTION FOR LEAVE TO FILE RESPONDENT’S ANSWERING BRIEF
IN EXCESS OF TYPE-VOLUME LIMITATIONS**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, ALEXANDER CHEN, pursuant to NRAP 28(g) and the attached Declaration of Counsel, respectfully moves for leave to file an Respondent’s Answering Brief in Excess of Type-Volume Limitations pursuant to NRAP 32(a)(7)(D).

Dated this 30th day of November, 2020.

Respectfully submitted,

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

BY */s/ Alexander Chen*

ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539
Office of the Clark County District Attorney

DECLARATION
(NRS 53.045)

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

Except by Court Order, a Respondent's Answering Brief shall not exceed 30 pages in length or shall contain no more than 14,000 words or 1,300 lines of text. NRAP 32(a)(7)(A)(i)-(ii); NRAP 32(a)(7)(D).

On August 27, 2020, Appellant filed a Motion for Leave to File Opening Brief in Excess of Type-Volume Limitation, requesting permission to file an Opening Brief an Excess of Type-Volume Limitation, as well as his Opening Brief containing 17,591 words. On September 3, 2020, this Court granted the motion. In order to fully develop the facts and answer the issues Appellant raised therein, it has been necessary to prepare an Answering Brief containing 33,330 words.

Appellant's Opening Brief is 81 pages and raises 9 issues in depth, including multiple constitutional issue that required an extensive and thorough examination of the record. Appellant's trial lasted 7 days, and the record is comprised of 11 volumes consisting of over 2,400 pages. The length of Appellant's Opening Brief necessitates a more detailed and lengthy response than the word limits of NRAP 32(a)(7) would normally permit. Respondent has diligently sought to respond in as concise a manner as possible, without sacrificing depth, breadth, or accuracy. See NRAP 32(a)(7)(A)(D)(i).

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

Dated this 30th day of November, 2020.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Alexander Chen*

ALEXANDER CHEN
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CERTIFICATE OF COMPLIANCE

1. **I hereby certify** that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word 2013 in 14 point font of the Times New Roman style.
2. **I further certify** that this brief is proportionately spaced, has a typeface of 14 points and contains 33,330 words and 2,941 lines of text pursuant to this Motion for Leave to File Respondent's Answering Brief in Excess of Type-Volume Limitations.
3. **Finally, I hereby certify** that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

Dated this 30th day of November, 2020.

Respectfully submitted

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

BY */s/ Alexander Chen*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 30th day of November, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

AUDREY M. CONWAY
Chief Deputy Public Defender

ALEXANDER CHEN
Chief Deputy District Attorney

/s/ E. Davis

Employee, Clark County
District Attorney's Office