

IN THE SUPREME COURT OF THE STATE OF NEVADA

KODY HARLAN

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

S.Ct. No. 80318

D.C. No. C333318

Electronically Filed
Jun 08 2020 08:41 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME TO FILE REQUEST FOR TRANSCRIPT
(First Request)

COMES NOW Appellant, CODY HARLAN, by and through his counsel in this matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the first time for an extension to enlargement of time of fifty-five (55) days from April 15, 2020 to file Appellant's Request for Transcripts, making said Request due June 9, 2020. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 8th day of June, 2020.

Respectfully submitted,

/s/ Jean J. Schwartzer
JEAN J. SCHWARTZER, ESQ.
Law Office of Jean J. Schwartzer
Counsel for Appellant

1 MEMORANDUM

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned case.
3 Appellant's Request for Transcripts was due on April 15, 2020. Pursuant to NRAP 31(b)(3),
4 this Court may grant a motion for extension of time for filing a Request for Transcripts
5 upon a showing of good cause. This is Appellant's first request for an extension of time for
6 his Request for Transcripts.

7 With respect to good cause, trial counsel for appellant requested a majority of the
8 necessary transcripts shortly after trial and current counsel for Appellant requested the
9 remaining necessary transcripts prior to the April 15, 2020 due date. However, upon
10 review of the produced transcripts, it appears there was a pre-trial Petition for Writ of
11 Habeas Corpus filed under Appellant's case number but only appears under Co-
12 Defendant's name in Odyssey. Appellant subsequently filed a separate pre-trial Petition for
13 Writ of Habeas Corpus. Appellate counsel requested a transcript of the hearing on his
14 Petition. According to the transcript of this hearing, it appears the Court denied
15 Appellant's Petition and stated it was for the same reasons the Co-Defendant's Petition was
16 denied. Therefore, Appellant needs the transcript of the hearing on his Co-Defendant's
17 Petition.

18 Therefore, Counsel needs an additional fifty-five (55) days to complete the Request
19 for Transcripts in the instant case. The District Court filed stamped Request will be filed
20 within a day of the instant Motion.

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1 This Motion is made in good faith and not for the purposes of undue delay. I declare
2 under penalty of perjury the factual representations set forth in the foregoing
3 memorandum are true and correct.

4 Dated this 8th day of June, 2020.

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6 Respectfully submitted,

7 /s/ Jean J. Schwartz

8 JEAN J. SCHWARTZER, ESQ.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on June 8TH, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON FORD, ESQ.
Nevada Attorney General

ALEXANDER G. CHEN, ESQ.
Chief Deputy District Attorney

/s/ Jean J. Schwartz
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