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Respondent.

Electronically Filed
Oct 05 2020 09:45 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

COMES NOW Appellant, KODY HARLAN, by and through his counsel in this matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the second time for an enlargement of time of sixty (60) days from October 5, 2020 to file Appellant's Opening Brief, making said brief due December 4, 2020. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 5th day of October, 2020.

Respectfully submitted,

/s/ Jean J. Schwartz
JEAN J. SCHWARTZER, ESQ.
Law Office of Jean J. Schwartz, Ltd
170 S. Green Valley Parkway #300
Suite 110- 473
Las Vegas, NV 89141
Phone: 702-979-9941
jean.schwartzter@gmail.com
Counsel for Appellant

1 **MEMORANDUM**

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned case.
3 Appellant's Opening Brief is due on October 5, 2020. Pursuant to NRAP 31(b)(3)(B),
4 this Court may grant a second motion for extension of time for filing an Opening Brief
5 upon a showing of extreme need. This is Appellant's second request for an extension of
6 time to file his Opening Brief.

7 Counsel was appointed to represent Appellant on March 12, 2020. On March
8 15, 2020, the Governor of Nevada ordered social distancing and the closure of all
9 schools due to COVID-19. Schools remained closed pursuant to an amended order for
10 the duration of the school year. From the time school closed until the end of May,
11 Counsel had to home-school her then 4 (now 5) and then 7 (now 8) year old children
12 and was only able to work very limited hours due to having no child care until school
13 started on August 10, 2020. This was the reason cited to for Appellant's first Motion
14 for Enlargement of Time.

15 With respect to extreme need for a second enlargement of time, Counsel leased a
16 new office in late August and spend a considerable amount of time packing, moving
17 and unpacking her case files and office. Counsel then spent the subsequent six weeks
18 catching up on all her cases as she was only able to work on a very limited basis from
19 mid March to mid August due to COVID-19. Although counsel has spent
20 approximately 100 hours on Appellant's Opening Brief, additional time is needed.
21 Therefore, Appellant requests sixty (60) additional days to file his Opening Brief
22 making said brief due on December 4, 2020.

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1 This Motion is made in good faith and not for the purposes of undue delay.

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

4 Dated this 5th day of October, 2020.

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Respectfully submitted,

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/s/ Jean J. Schwartz

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JEAN J. SCHWARTZER, ESQ.

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Counsel for Appellant

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3 **CERTIFICATE OF SERVICE**

4 I HEREBY CERTIFY AND AFFIRM that this document was filed
5 electronically with the Nevada Supreme Court on October 5th, 2020. Electronic
6 Service of the foregoing document shall be made in accordance with the Master
7 Service List as follows:

8
9 AARON FORD, ESQ.
 Nevada Attorney General

10 ALEXANDER G. CHEN, ESQ.
11 Chief Deputy District Attorney

12
13 /s/ Jean J. Schwartzer
14 JEAN J. SCHWARTZER, ESQ.
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21 Counsel for Appellant
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