

IN THE SUPREME COURT OF THE STATE OF NEVADA

KODY HARLAN,
Appellant,
v.
THE STATE OF NEVADA,
Respondent.

CASE NO: Electronically Filed
Jun 15 2021 10:10 a.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, TALEEN PANDUKHT, 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 15th day of June, 2021.

Respectfully submitted,

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

BY */s/ Taleen Pandukht*

TALEEN PANDUKHT
Chief Deputy District Attorney
Nevada Bar #005734
Office of the Clark County District Attorney

MEMORANDUM

I, TALEEN PANDUKHT, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office. I am the supervising attorney in the above-captioned case. Respondent's Answering Brief is currently due on Tuesday, June 15, 2021. The State requests a thirty-day (30) extension of time in which to file its Answering Brief. NRAP 31(b)(3).

This is the State's second request for an enlargement of time. If granted, the new filing date for Respondent's Answering Brief would be due on or before Thursday, July 15, 2021.

Appellant filed his Opening Brief on March 17, 2021, after receiving seven (7) extensions of time to file the opening brief, which allowed Appellant eleven (11) months to file the Opening Brief. Should this Court grant the State's request, the State would still only have had four (4) months to file an Answering Brief, significantly less than half of the time given to Appellant.

Appellant's Opening Brief raised six (6) issues with seventeen (17) appendices. Within those issues, Appellant challenges whether Appellant and his co-defendant were properly tried together, as well as the admissibility of several pieces of evidence. Appellant was convicted of First-Degree Murder with Use of a Deadly Weapon, Robbery with Use of a Deadly Weapon, and Accessory to Murder. Appellant was sentenced to an aggregate total of ninety-six (96) months to

life in the Nevada Department of Corrections. Given the severity of Appellant's sentence and the seriousness of Appellant's crimes, a thorough and complete Answering brief necessitates 30 additional days to review the record and related case law. Moreover, once the law clerk assigned to respond to this brief has completed a draft, the brief must complete the office's internal review process.

Due to the above-described circumstances, Respondent respectfully requests the Court's permission for an extension of time of thirty (30) days to file its Answering Brief, making the State's response due to be filed on or before Thursday, July 15, 2021. This Motion is made in good faith and not for purposes of undue delay.

Dated this 15th day of June, 2021.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Taleen Pandukht*

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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 15, 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

JEAN J. SCHWARTZER, ESQ.
Counsel for Appellant

TALEEN PANDUKHT
Chief Deputy District Attorney

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

TP/Julia Barker/jg