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Respondent.

Electronically Filed
Sep 10 2021 10:38 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 three (3) days from September 10, 2021 to file Appellant's Reply Brief, making said brief due September 13, 2021. This motion is based upon the following memorandum and all papers and pleadings on file herein.

Dated this 10th day of September, 2021.

Respectfully submitted,

/s/ Jean J. Schwartz
JEAN J. SCHWARTZER, ESQ.
Law Office of Jean J. Schwartz
170 S. Green Valley Parkway
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Henderson, NV 89012
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 Reply Brief is due on September 10, 2021. Pursuant to NRAP
4 31(b)(3)(B), this Court may grant a second motion for extension of time for filing a
5 Reply Brief upon a showing of extreme need. This is Appellant's second request for an
6 extension of time to file his Reply Brief but is a very brief request.

7 With respect to extreme need, Counsel was only able to work two days this week
8 due to her children being out of school and also observing Rosh Hashana. Although
9 counsel would have completed the brief today, today she learned that she has to testify
10 as a victim witness at a preliminary hearing in a criminal case this coming Monday.
11 She had to unexpectedly spend a considerable amount of time today speaking with
12 attorneys about the incident, the upcoming hearing and negotiations that went awry.
13 Therefore, Appellant requests three (days) within which to file the Reply Brief.

14 It should be noted that the State repeatedly misrepresented witness testimony in
15 its Answering Brief and a Reply is necessary so that Appellant is accurately heard.

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

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

19 Dated this 10th day of September, 2021.

20
21 Respectfully submitted,

22 /s/ Jean J. Schwartzer
23 JEAN J. SCHWARTZER, ESQ.
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28 Phone: 702-979-9941
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on September 10th, 2021. 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

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