

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 _____

3 KODY HARLAN

4 Appellant,

5 vs.

6 THE STATE OF NEVADA,

7 Respondent.

8

9

10

S.Ct. No. 80318 Electronically Filed
D.C. No. C333318 Apr 07 2022 10:52 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

11 **MOTION FOR ENLARGEMENT OF TIME TO FILE PETITION FOR EN**
12 **BANC RECONSIDERATION**

13 COMES NOW Appellant, KODY HARLAN, by and through his counsel in this
14 matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the first time for an
15 enlargement of time of eighteen (18) days from April 8, 2022 to file Appellant's
16 Petition for En Banc Consideration, making said brief due April 26, 2022. This
17 motion is based upon NRAP 27 and 40A, the following memorandum and all papers
18 and pleadings on file herein.

19

20 Dated this 7th day of April, 2022.

21

22 Respectfully submitted,

23 /s/ Jean J. Schwartzer
24 JEAN J. SCHWARTZER, ESQ.
25 Law Office of Jean J. Schwartzer
26 170 S. Green Valley Parkway #300
27 Henderson, NV 89012
28 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 Pursuant to NRAP 40A(b), a party may petition for en banc reconsideration of a
4 Supreme Court panel's decision within 14 days after written entry of the panel's
5 decision to deny rehearing. Appellant's Petition for En Banc Consideration is due
6 April 8, 2022. This is Appellant's first request for an extension of time to file the
7 Petition for En Banc Reconsideration.

8 On the same day this Court entered its order denying Appellant's Petition for
9 Rehearing, counsel for Appellant had to undergo the second of two infusions of an
10 immunosuppressant medication, rendering her unable to work for five (5) days.
11 Counsel needs additional time to review this Court's decision, conduct research,
12 review the record and draft the Petition for En Banc Reconsideration. Additionally,
13 counsel's children are out of school from April 9, 2022 through April 18, 2022 and
14 counsel will be caring for them while also being out of the jurisdiction.

15 Given this, counsel respectfully requests that this Court permit her eighteen
16 (18) additional days complete the Petition for En Banc Reconsideration in the instant
17 case making the brief due April 26, 2022.

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

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

21 Dated this 7th day of April, 2022.

22
23 Respectfully submitted,

24
25 /s/ Jean J. Schwartzer
26 JEAN J. SCHWARTZER, ESQ.
27 Law Office of Jean J. Schwartzer
28 170 S. Green Valley Parkway #300
Henderson, NV 89012
Phone: 702-979-9941
Counsel for Appellant

1
2
3 **CERTIFICATE OF SERVICE**

4 I HEREBY CERTIFY AND AFFIRM that this document was filed
5 electronically with the Nevada Supreme Court on April 7th, 2022 Electronic Service of
6 the foregoing document shall be made in accordance with the Master Service List as
7 follows:

8 AARON FORD, ESQ.
9 Nevada Attorney General

10 ALEXANDER CHEN, ESQ.
11 Chief Deputy District Attorney

12 /s/ *Jean J. Schwartzer*
13 JEAN J. SCHWARTZER, ESQ.
14 Law Office of Jean J. Schwartzer
15 170 S. Green Valley Parkway #300
16 Henderson, NV 89012
17 Phone: 702-979-9941
18 jean.schwartzter@gmail.com
19 Counsel for Appellant
20
21
22
23
24
25
26
27
28