

IN THE SUPREME COURT IN THE STATE OF NEVADA

IN THE MATTER OF THE
GUARDIANS OF B.A.A.R.,
PROTECTED MINOR.

LUCIA AGUILAR AGUILAR,
Appellant,

vs.

MARIA MARTA RIVAS; AND
JESUS VIDAL AGUILAR,
Respondents.

Case No.: 78626
District Court No.: G051011

Electronically Filed
Sep 03 2019 06:11 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENTSION OF TIME TO FILE OPENING BRIEF

COMES NOW, Appellant Lucia Aguilar Aguilar, by and through her undersigned attorney, and pursuant to Nev. R. App. P. 26, hereby requests this honorable Court to grant a thirty (30) day extension of time from September 3, 2019, through and including October 3, 2019, within which to file Appellant's Opening Brief in the above-entitled case. This Motion is made and based upon Memorandum and Declaration attached hereto.

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DATED this 3rd day of September, 2019.

Respectfully submitted,

/s/ Alissa A. Cooley

ALISSA A. COOLEY, ESQ.

Nevada Bar No. 13467

526 South 7th Street

Las Vegas, NV 89101

MEMORANDUM

Nev. R. App. P. 26 governs computing and extending time for the filing of appellate briefs, and reads, in pertinent part:

For good cause, the court may extend time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires.

NRAP 26(b)(1)(A).

Appellant has not previously requested an extension in this case. The instant case is an appeal of a denial of a Motion for Findings on the Issue of Special Immigrant Juvenile Status. There were two hearings below. Appellant requested the transcripts of both hearings, however, in the undersigned's preparation of the Appendix, she noticed she only has a transcript for one of the two hearings. The undersigned intends to contact the transcriber regarding the missing transcript, and if it was filed with the District Court, Appellant will request a copy from there court. Presently, Appellant requires an additional thirty (30) days to obtain the transcript to include with the Appendix. An extension of time is therefore

necessary and Appellant can demonstrate good cause, as further detailed in the attached Declaration of Counsel.

DATED this 3rd day of September, 2019.

Respectfully submitted,

LAW OFFICES OF MARTIN HART, LLC

/s/ Alissa A. Cooley

ALISSA A. COOLEY, ESQ.

Nevada Bar No. 13467

526 South 7th Street

Las Vegas, NV 89101

Attorney for Appellant

DECLARATION OF COUNSEL

I, Alissa A. Cooley, Esq., upon penalty of perjury declares that:

1. I am an attorney duly licensed to practice law in the State of Nevada and I represent Appellant Lucia Aguilar Aguilar in the instant appeal pending before this Court.

2. The Opening Brief is due on or before September 3, 2019.

3. The case regards the denial of a Motion for Findings on the Issue of Special Immigrant Status filed within a minor guardianship matter in District Court. This is Appellant's first request for an extension. There were two hearings in the matter below, for which Appellant requested the transcripts. In preparing the brief and appendix, I noticed I am missing the transcript from January 30, 2019. I intend to contact the transcriber immediately on September 4, 2019 to ask about

the missing transcript. If it was filed yet not delivered to my office, I will request a copy from the District Court. I do not expect to need more than two weeks to receive the transcript, however, I request thirty (30) days in an abundance of caution. I apologize for the delay in this discovery and will be sure to be more thorough in the future.

4. This Motion is made in good faith and not for the purpose of delay. I declare under penalty of perjury the factual representations set forth in the foregoing Declaration of Counsel are true and correct.

DATED this 3rd day of September, 2019.

Respectfully submitted,
LAW OFFICES OF MARTIN HART, LLC

/s/ Alissa A. Cooley
ALISSA A. COOLEY, ESQ.
Nevada Bar No. 13467
526 South 7th Street
Las Vegas, NV 89101
Attorney for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on September 3, 2019. A true and correct copy of Appellant's Request for Extension of Time to File Opening Brief was served via U.S. first class mail to the following:

Jesus Vidal Aguilar
3311 Fico Avenue
Las Vegas, NV 89141

Maria Marta Rivas
Caserio Los Rivas
Canton Llano Largo
Jutiapa, Cabañas
El Salvador

/s/ Alissa A. Cooley
Law Offices of Martin Hart, LLC