

JESS Y. MATSUDA, ESQ.  
Nevada Bar No. 10929  
**MATSUDA & ASSOCIATES, LTD.**  
228 South Fourth Street, Third Floor  
Las Vegas, NV 89101  
Tel. (702) 383-0506  
Fax. (702) 382-6903  
jess@jesslaw.com  
Counsel for Appellant

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Elizabeth A. Brown  
Clerk of Supreme Court

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

DEVOHN MARKS,

Appellant,

Docket No.

80469

*vs.*

THE STATE OF NEVADA,

Respondent.

**MOTION FOR EXTENSION OF TIME  
TO FILE OPENING BRIEF AND  
APPENDIX (SECOND REQUEST)**

Appellant Devohn Marks, through appointed counsel Jess Matsuda, hereby submits this Motion for Extension of Time to File Opening Brief and Appendix (Second Request). This motion is not made for the purposes of unnecessary delay or for any improper purpose.

DATED this 24 of August, 2020.

/s/ Jess Matsuda

JESS Y. MATSUDA, ESQ.  
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Counsel for Appellant

1                                    **MEMORANDUM OF POINTS AND AUTHORITIES**

2            On January 17, 2020, the undersigned counsel initiated the instant ap-  
3 peal from the Judgment of Conviction in Eighth Judicial District Court case  
4 number C-18-337017-2. The Opening Brief and Appendix are due August 24,  
5 2020. This motion follows.

6            Counsel requires additional time to review the transcripts to craft an  
7 effective appellate argument. The transcripts in this case are lengthy, con-  
8 sisting of eight days of trial as well as multiple motion hearings. The total  
9 length of the transcripts alone is 1302 pages, and counsel has been able to go  
10 through roughly half of them at this time. This combined with the current  
11 global pandemic and the disruptions to counsel's practice resulting there-  
12 from necessitate additional time for filing.

13            For these reasons, counsel would request an extension of time to file  
14 the Opening Brief and Appendix in this appeal. The Opening Brief and Ap-  
15 pendix are due August 24, 2020. Counsel would request an additional sixty  
16 days with which to prepare and file the Opening Brief and Appendix, result-  
17 ing in an extension to October 23, 2020. This motion is made in good faith  
18 and not for the purposes of unnecessary delay or for any improper basis.

19  
20                                    DATED this 24 of August, 2020.

21                                    /s/ Jess Matsuda

22                                    JESS Y. MATSUDA, ESQ.

23                                    Nevada Bar No. 10929

24                                    **MATSUDA & ASSOCIATES, LTD.**

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26                                    Las Vegas, NV 89101

27                                    (702) 383-0506

28                                    Counsel for Appellant

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am a person competent to serve papers, that I am  
3 not a party to the above-entitled action, and that on August 24, 2020, I  
4 served the foregoing document via the Nevada Supreme Court's eFlex system  
5 on the counsel and/or parties as listed below:  
6

7	<b>Name</b>	<b>Address</b>
8	Steven B. Wolfson, Esq.	200 Lewis Ave.
9	Clark County District Attorney's Office	Las Vegas, NV 89155
10	Aaron D. Ford, Esq.	100 N. Carson St.
11	Nevada Attorney General's Office	Carson City, NV 89701

12  
13  
14 /s/ Jess Matsuda  
15 JESS Y. MATSUDA, ESQ.  
16 Nevada Bar No. 10929  
17 **MATSUDA & ASSOCIATES, LTD.**  
18 228 South Fourth Street, Third Floor  
19 Las Vegas, NV 89101  
20 (702) 383-0506  
21 Counsel for Appellant  
22  
23  
24  
25

26 **AFFIRMATION**

27 Pursuant to NRS 239B.030, this document contains no social security numbers.

28 /s/ Jess Matsuda

Jess Y. Matsuda, Esq.

08-24-20

Date