

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

DEVOHN MARKS,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

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No. 80469

Electronically Filed  
Mar 26 2022 11:33 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**Motion for Extension of Time  
to File a Petition for Rehearing**

Pursuant to NRAP 26(b)(1)(A), appellant Devohn Marks moves for a 30-day extension of time to file a petition for rehearing in accordance with NRAP 40.

The Order of Affirmance was entered on March 17, 2022. Marks' petition for rehearing therefore is currently due by April 4, 2022. *See* NRAP 40(a)(1) (a petition for rehearing may be filed within 18 days after the filing of the appellate court's decision under Rule 36). If this motion is granted, the petition for rehearing would be due by May 4, 2022.

This is Marks' first request for an extension of time to file a petition for rehearing, and good cause exists for the extension.

*Good cause for granting an extension*

Marks is incarcerated in High Desert State Prison in Indian Springs, Nevada. He was sentenced on December 18, 2019 to an aggregate total sentence of 240 to

612 months (i.e., 20 to 51 years) in prison. In short, he is serving a very long sentence that was just affirmed by this court.

Appellate counsel sent Marks a copy of the Order of Affirmance and a letter explaining his options at this point. Most of our communication is by letter and it's a slow process, since it takes time for letters to arrive, be read, and responded to.

Thus, appellate counsel needs more time to consult with Marks about the Order of Affirmance, the grounds for seeking rehearing, and his postconviction options. If Marks chooses to petition for rehearing, appellate counsel will need additional time to review the briefs and appendix, and to research and write the petition. Counsel cannot do all of this by April 4, 2022.

Therefore, Marks respectfully requests a 30-day extension of time of the due date for filing a petition for rehearing: from April 4, 2022 to May 4, 2022.

DATED: March 26, 2022.

/s/ Mario D. Valencia  
MARIO D. VALENCIA  
Nevada Bar No. 6154  
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*Counsel for Marks*

**Certificate of Service**

I hereby certify and affirm that a true and correct copy of the foregoing **Motion for Extension of Time to File a Petition for Rehearing** was filed electronically with the Nevada Supreme Court on March 26, 2022. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

ALEXANDER CHEN  
Chief Deputy District Attorney

TALEEN PANDUKHT  
Chief Deputy District Attorney

/s/ Mario D. Valencia  
MARIO D. VALENCIA