

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY JOSEPH HARRIS,

Appellant,

v.

STATE OF NEVADA, ET AL.,

Respondent.

No.: 81430

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Jul 21 2021 11:05 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**UNOPPOSED MOTION TO EXTEND TIME TO FILE OPENING
BRIEF
(SECOND REQUEST)**

Pursuant to Nevada Rule of Appellate Procedures 31(b)(3), Appellant Anthony Joseph Harris, by and through his counsel of record Holland & Hart, LLP, files this Unopposed Motion to Extend Time to file his Opening Brief. This Motion is based on the following Memorandum of Points and Authorities, and the papers and pleadings on file in this matter.

MEMORANDUM OF POINTS & AUTHORITIES

On June 30, 2020, Appellant Anthony Joseph Harris filed his Notice of Appeal. This case was subsequently referred to the Pro Bono Committee of the Appellate Litigation Section of the State Bar of Nevada on November 12, 2020. On March 1, 2021, Joshua M. Halen, Esq., filed a Notice of Appearance of Pro Bono Counsel on behalf of Harris. On June 9, 2021, the Court granted the parties' joint motion for an extension of time to file the opening brief, and the opening brief is

due July 22, 2021. The joint motion for extension of time is the only request Harris has made to extend the time to file his opening brief, and this was not denied.

Harris requests a 14-day extension to file his opening brief. Harris's counsel has been diligently working on the opening brief, but has had difficulties contacting, communicating, and working with Harris on the opening brief due his incarceration, which has impacted the completion of the opening brief. Harris's counsel has also had other work obligations that have interfered with his ability in communicating with Harris. Given Harris's incarceration, the opportunities for communications are limited. The 14-day extension to file the opening brief is requested for additional time for Harris and his counsel to communicate on the opening brief.

Counsel for Harris spoke with counsel for Respondents, Frank Toddre, Esq., on July 20, 2021, and Mr. Toddre agreed to Harris's request for a 14-day extension.

Accordingly, Harris requests a 14-day extension to file his opening brief. The granting of this Motion would make Harris's brief due on or before Thursday, August 5, 2021.

DATED this 21st day of July, 2021

HOLLAND & HART LLP

s/ Joshua M. Halen

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CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 5(b), I hereby certify that on the 21st day of July, 2021, I served a true and correct copy of the foregoing **UNOPPOSED MOTION TO EXTEND TIME TO FILE OPENING BRIEF (SECOND REQUEST)** by electronic transmission to the parties on electronic file and/or depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below :

D. Randal Gilmer
Chief Deputy Attorney General
Frank A. Toddre II
Senior Deputy Attorney General
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Office of the Attorney General
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/s/Cathy Ryle
An Employee of Holland & Hart LLP

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