

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE SEARCH
OF THE RESIDENCE AND
PROPERTY LOCATED AT
1731 SUNSET COURT
GARDNERVILLE, NEVADA 89410

Supreme Court No. 81509
District Court Case No. 2019-SW-00045
Electronically Filed
Oct 11 2021 01:32 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

JAMES KOSTA,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**MOTION FOR EXTENSION OF
TIME TO FILE OPENING BRIEF**

COMES NOW Appellant, James Kosta, by and through undersigned counsel, hereby files this Motion for an Extension of Time to File Opening Brief. Appellant's Opening Brief was filed timely but incorrectly on September 14, 2021. Counsel's support staff misunderstood the Notice of Deficient Brief and re-filed only the Appendix to the Opening Brief believing the Brief itself had been accepted. Counsel only realized the inadvertent mistake when a call was made to the Court requesting an extension by the Respondent and Respondent's Counsel advising Appellant's Counsel that the Court did not have the Opening Brief on file. Appellant's Counsel's support staff contacted the Court Clerk's Office to inquire about the deficient brief

and was told to file a Motion for an Extension to file Opening Brief and then re-file the Opening Brief.

Counsel hereby requests an extension of time to file the Opening Brief up to and including October 11, 2021.

DATED this 11th day of October, 2021.

CLARK HILL PLLC

/s/ Dominic P. Gentile

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Attorneys for Appellant James Kosta

CERTIFICATE OF SERVICE

I certify that on the 11th day of October, 2021, I served a copy of this Motion for an Extension of Time to file Opening Brief upon all counsel of records:

- ☐ By personally serving it upon him/her; or
- ☒ By email and by mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attached a separate sheet with the addresses.)

Douglas County District Attorney
Erik A. Levin, Esq.
P.O. Box 218
Minden, Nevada 89423

/s/ Tanya Bain
An employee of Clark Hill PLLC