

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARELL L. MOORE; AND CHARLENE A.
MOORE, INDIVIDUALLY AND AS
HUSBAND AND WIFE,

Appellants,

vs.

JASON LARSY, MD, INDIVIDUAL; AND
TERRY BARTMUS, RN, APRN,
INDIVIDUAL,

Respondents.

Electronically Filed
Apr 21 2021 09:36 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 81659

**APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF AND APPENDIX (Second Request)**

Appellants hereby respectfully request pursuant to NRAP 26(b) that this Court extend the time to file the Opening Brief. The brief is due on April 21, 2021. No extensions have previously been denied, and this is the second request. Appellants respectfully request an extension up to and including June 21, 2021.¹

This extension is necessary because of a change in counsel. E. Breen Arntz will represent the Appellants without the assistance of Morris Law Center and Morris Law Center will not provide the brief or otherwise participate in this appeal. Due to

¹ Appellants respectfully request an extension of 60 days. However, 60 days from April 21, 2021 is June 20, 2021 which is a Sunday. Accordingly, Appellant requests the deadline be set for the next business day.

this very recent change in the responsibility of counsel, it is impossible for Appellants' Counsel to properly brief the matter in the time remaining. Accordingly, Appellants' Counsel respectfully requests an extension of 60 days to properly review the file including all transcripts and prepare a thoroughly and complete brief.

This is contemplated in the Nevada Rules of Appellate Procedure. NRAP 26(b). Granting this extension will best serve justice by allowing for an adjudication on the merits with a well-prepared brief. NRAP 1(c); *see also Hotel Last Frontier Corp. v. Frontier Props.*, 79 Nev. 150, 155, 380 P.2d 293, 295 (1963) (noting “the basic underlying policy to have each case decided upon its merits”).

Thus, Appellants respectfully request that this Court grant this motion and accept submission of the brief and related appendix.

Dated this 20th day of April, 2021.

E. BREEN ARNTZ, CHTD.

By: /s/ E. Breen Arntz
E. Breen Arntz, Esq.
Nevada Bar No. 3853

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(b), I certify that I am an employee of the law firm and that on this 20th day of April, 2021, I served a true and correct copy of the foregoing **APPELLANT'S MOTION FOR EXTENSION OF TIME (Second Request)** as follows:

- by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- to be sent via facsimile (as a courtesy only); and/or
- to be hand-delivered to the attorneys at the address listed below:
- to be submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

Robert McBride, Esq
McBride Hall
8329 W. Sunset Rd., Ste. 260
Las Vegas, NV 89113

Keith A. Weaver, Esq.
Lewis Brisbois Bisgaard & Smith, LLP
6385 S. Rainbow Blvd., Ste. 6000
Las Vegas, NV 89118

By: /s/ E. Breen Arntz
An employee of E. Breen Arntz, Chtd.