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Attorney for Plaintiff, Curtis Wilson

Electronically Filed
Mar 16 2021 08:34 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

6 SUPREME COURT OF NEVADA

7 CURTIS WILSON, an individual,
8 Plaintiff,

9 vs.

10 LAS VEGAS METROPOLITAN
POLICE
11 DEPARTMENT, a governmental
agency,
12 POLICE OFFICER E. VONJAGAN,
Badge
13 No. 16098, an employee of the
Metropolitan
Police Department; POLICE OFFICER
14 TENNANT, Badge No. 9817, an
employee of
15 the Metropolitan Police Department,
and
16 DOES I through X,

17 Defendant(s).

SUPREME COURT CASE

NO. 81940

DISTRICT COURT CASE NO.:

A-19-805368-C

19 **APPELLANT'S REQUEST TO EXTEND TIME TO FILE OPENING**
20 **BRIEF**

21
22 Now comes Appellant, Curtis Wilson, through its counsel of record,
23 Brandon L. Phillips, Esq., of the firm BRANDON L. PHILLIPS, ATTORNEY AT
24 LAW, PLLC, and hereby respectfully requests that this honorable Court extend the

1 time for Appellant to file the Opening Brief from March 16, 2021 to March 23,
2 2021.

3 The Court issued an Order requiring the Appellant to file the Opening Brief
4 by March 16, 2021.

5 Due to a recent health issue with Appellant's counsel, the Respondents have
6 agreed to continue the Opening Brief date by one week. See email from
7 Respondents' Counsel confirming the one week extension. (Exhibit 1).

8
9 **PROCEDURAL HISTORY**

- 10 1. This case was decided on Respondents' Motion to Dismiss.
11
12 2. It remains Appellant's position that the Court should have afforded
13 Wilson tolling while he exhausted the administrative remedies afforded
14 to him by law.
15
16 3. The Court entered Notice of Entry of Findings of Facts and Conclusions
17 of Law on September, 14, 2020.
18
19 4. Appellant timely filed his Notice of Appeal on October 12, 2020.
20
21 5. On February 1, 2021, the Court entered an Order allowing for an
22 extension of time to file the corrected Docketing Statement. The Court
23 accepted the Docketing Statement that was filed on January 15, 2021,
24 which was attached to the Motion.
25
26 6. The Court issued an Order on March 2, 2021 requiring the Opening Brief
to be filed on March 16, 2021.

1
2
3 **STATUTORY AUTHORITY**

4 **RULE 31. FILING AND SERVICE OF BRIEFS.**

5 **(a) Time for Serving and Filing Briefs.** Unless a different briefing schedule
6 is provided by a court order in a particular case or by these or any other court
7 rules, parties shall observe the briefing schedule set forth in this Rule.

8 **(3) Motions for Extensions of Time.** A motion for extension of time for
9 filing a brief may be made no later than the due date for the brief and must comply
10 with the provisions of this Rule and Rule 27.

11 **(A) Contents of Motion.** A motion for extension of time for filing a
12 brief shall include the following:

- 13 (i) The date when the brief is due;
14 (ii) The number of extensions of time previously granted (including a 5-
15 day telephonic extension), and if extensions were granted, the original date when
16 the brief was due;
17 (iii) Whether any previous requests for extensions of time have been
18 denied or denied in part;
19 (iv) The reasons or grounds why an extension is necessary; and
20 (v) The length of the extension requested and the date on which the brief
21 would become due.
22

23 Appellant respectfully reached out to opposing counsel to see if there was
24 any issue/concern with a one-week extension to filing the Opening Brief. The
25 Respondents' Counsel confirmed they were agreeable to this one time extension
26 request.

27 There is no intent to unduly delay this matter and Appellant will attempt to
28 file prior to the one-week extension date of March 23, 2021.

1 **CONCLUSION**

2 As stated herein, counsel Phillips respectfully requests that this Court extend
3
4 the time to file the Opening Brief to March 23, 2021.

5
6 _____
7 /s/ *Brandon L. Phillips*
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15 Attorney for Appellant *C. Wilson*
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PROOF OF SERVICE

This is to certify that on the 16th day of March, 2021, I caused to be served **APPELLANT'S MOTION TO EXTEND TIME TO FILE THE OPENING BRIEF**, by the method indicated below, and addressed to the following:

Document Served: Motion

Person(s) Served:

LYSSA S. ANDERSON
Nevada Bar No. 5781
RYAN W. DANIELS
Nevada Bar No. 13094
KAEMPFER CROWELL
1980 Festival Plaza Drive, Suite 650
Las Vegas, Nevada 89135
Telephone: (702) 792-7000

☐ Via Facsimile:
☐ Mail
☐ Personal Delivery
☒ Electronic Notice

/s/ Brandon L. Phillips
An employee of BRANDON L. PHILLIPS,
ATTORNEY AT LAW, PLLC

EXHIBIT 1

EXHIBIT 1

Brandon Phillips

From: Ryan Daniels <RDaniels@kcnvlaw.com>
Sent: Tuesday, March 16, 2021 3:24 PM
To: Brandon Phillips
Cc: Lyssa Anderson; Bonnie Jacobs
Subject: Wilson v. LVMPD

Hello Brandon,

We are fine with giving you a week extension. Hope your eyesight improves.

KAEMPFER

CROWELL

Ryan W. Daniels
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