

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

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**LARRY DECORLEON BROWN**

Appellant,

vs.

**THE STATE OF NEVADA**

Respondent.

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**Docket No. 81962**

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Direct Appeal From A Judgment of Conviction  
Eighth Judicial District Court  
The Honorable Valerie Adair, District Judge  
District Court No. C-17-326247-1

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**MOTION FOR EXTENSION OF TIME TO FILE  
OPENING BRIEF (1<sup>st</sup> REQUEST)**

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Navid Afshar  
State Bar #14465  
Deputy Special Public Defender  
JoNell Thomas  
State Bar #4771  
Special Public Defender  
330 South 3<sup>rd</sup> Street  
Las Vegas, NV 89155  
(702) 455-6265  
Attorney for Brown

COMES NOW, Appellant Larry Brown, by and through his attorney, Navid Afshar, Deputy Special Public Defender, and requests this Honorable Court to grant an extension of time of 90 days to file the opening brief and appendix in this matter, up to and including May 18, 2021. This is Appellant's first request for an extension of time.

### STATEMENT OF THE CASE

This is an appeal from a judgment of conviction of Conspiracy to Commit Robbery, Robbery with Use of a Deadly Weapon, and First Degree Murder with Use of a Deadly Weapon.

The Court sentenced Mr. Brown to an aggregate total sentence of 30 years and four months to Life. There was a separate Judgment of Conviction (Plea of Guilty-Alford) filed September 23, 2020, which mistakenly contained all charges and sentences. The Court was notified of the error. A Notice of Appeal was filed on October 19, 2020, in order to preserve Mr. Brown's appellate rights. An Amended Judgment of Conviction was filed on October 20, 2020, but still contained errors. On November 13, 2020, this Court granted Appellant's Motion to Extend Docketing Statement until December 10, 2020. A second and correct

Amended Judgment of Conviction was filed December 2, 2020. Appellant filed his seconded Amended Notice of Appeal on December 11, 2020.

The appeal was docketed in this Court on October 20, 2020 and the Opening Brief and Appendix are due February 17, 2021.

Based on the reasons set forth in the declaration attached hereto, counsel for Appellant is requesting an extension of time to file the Opening Brief. It is respectfully requested that this Court grant this initial request for a continuance of 90 days for Appellant to file the Opening Brief and Appendix, up to and including May 18, 2021.

#### POINTS AND AUTHORITIES

NRAP 31(b)(3)(B) sets forth in pertinent part:

A motion for extension of time for filing a brief may be made no later than the due date for the brief.....

(B) ...The court will grant an initial motion for extension of time for filing a brief only upon a clear showing of good cause. The court shall not grant additional extensions of time except upon a showing of extraordinary circumstances and extreme need.

...

## CONCLUSION

Based on the Declaration attached hereto, Mr. Brown requests the Court grant his motion for an extension of time of 90 days, to file the Opening Brief and Appendix, up to and including May 18, 2021.

DATED this 17<sup>h</sup> day of February, 2021.

SUBMITTED BY:



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NAVID AFSHAR  
Deputy Special Public Defender  
330 S. Third St., Ste. 800  
Las Vegas, Nevada 89155  
702-455-6265  
Attorney for Appellant Brown

## DECLARATION OF NAVID AFSHAR

NAVID AFSHAR, hereby declares as follows:

1. That I am an attorney duly licensed to practice law in the State of Nevada, and the deputy with the Clark County Special Public Defender's office assigned to represent Mr. Brown on his direct appeal from a Judgment of Conviction (Verdict From Jury Trial).
2. I was not the trial attorney in this case.

3. That Mr. Brown's Opening Brief is due February 17, 2021.

4. I have been working diligently on my review of the record and draft of the brief, but I have been unable to complete the brief due to a number of factors:

a. This case involves a substantial record as the trial lasted 10 days over a period of 2 weeks and presents several complex issues.

b. I have recently been on doctor instructed limited duty for medical reasons until cleared to resume full time activity.

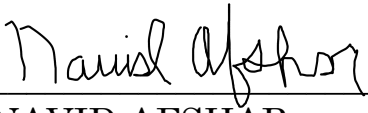
c. While on limited duty, I am responsible for an opening brief in another case before this Court, Docket No. 81307, and a Reply Brief in Docket No. 78871, that must be completed before I can complete the opening brief in the instant matter.

d. In addition to my current medical issue, I was needed and worked closely as far as I was allowed, on a jury trial that took place last week, State of Nevada v. Vicente Giner, C-20-347644-1.

e. Given the size of the record and the issues presented, combined with my current illness, I respectfully request an extension of 90 days, up to and including May 18, 2021.

I declare that I make this request in good faith and not for purposes of delay.

Dated: 2/17/2021

  
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NAVID AFSHAR  
Attorney for Brown

### **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on 2/17/2021, a copy of the foregoing MOTION was served as follows:

### **BY ELECTRONIC FILING TO**

District Attorney's Office  
200 Lewis Ave., 3<sup>rd</sup> Floor  
Las Vegas, NV 89155

Nevada Attorney General  
100 N. Carson St.  
Carson City NV 89701

  
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NAVID AFSHAR