

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARRY DECORLEON BROWN

Appellant,

vs.

THE STATE OF NEVADA

Respondent.

Docket No. 81962

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

**MOTION FOR EXTENSION OF TIME TO FILE
REPLY BRIEF (1st REQUEST)**

Navid Afshar
State Bar #14465
Deputy Special Public Defender
JoNell Thomas
State Bar #4771
Special Public Defender
330 South 3rd 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 60 days to file the reply brief in this matter, up to and including December 7, 2021. This is Appellant's first request for an extension of time.

STATEMENT OF THE CASE

The appeal was docketed in this Court on October 20, 2020. The Opening Brief and Appendix were filed July 8, 2021. The Respondent's Answering Brief and Appendix were filed September 8, 2021. The Reply Brief is due October 8, 2021.

POINTS AND AUTHORITIES

Based on the reasons set forth in the declaration attached hereto, counsel for Appellant is requesting an extension of time to file the Reply Brief. It is respectfully requested that this Court grant this initial request for a continuance of 60 days for Appellant to file the Reply Brief, up to and including December 7, 2021.

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 the instant first motion for an extension of time to file the Reply Brief.

DATED October 7, 2021.

SUBMITTED BY:

/s/ NAVID AFSHAR

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 Reply Brief is due October 8, 2021.

4. I am requesting an extension of 60 days to file the Reply Brief for the following reasons:

a. In the last 30 days I have diligently been working on the reply brief and have completed a working draft.

b. I have been unable to complete the brief as I currently have a medical issue that has recently required two medical procedures and will require a few more in the next few weeks. Per medical advice, I will be required to be out of the office for recovery.

c. In addition, I am leaving the Special Public Defender's Office at the end of October as I have accepted a position with the Federal Public Defender's Office and a new

appellate attorney would need sufficient time to be brought up to speed on the case and finalize the Reply Brief.

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

Dated: 10/7/2021

/s/ NAVID AFSHAR

NAVID AFSHAR
Attorney for Brown

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on 10/7/2021, a copy of the foregoing MOTION was served as follows:

BY ELECTRONIC FILING TO

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

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

/s/ NAVID AFSHAR

NAVID AFSHAR