

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA

Electronically Filed
Jun 02 2021 07:47 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appellant,

vs.

TARIQ MANSON

Respondent.

Docket No. 82038

Direct Appeal From an Amended Decision and Order Dismissing Case
Eighth Judicial District Court
The Honorable Linda Bell, District Judge and
District Court No. C-18-335833-1

**MOTION FOR EXTENSION OF TIME
TO FILE ANSWERING BRIEF (FIRST REQUEST)**

JoNell Thomas
State Bar #4771
Special Public Defender
Melinda E. Simpkins
State Bar #7911
Chief Deputy Special Public Defender
Daniel R. Page
State Bar #10706
Chief Deputy Special Public Defender
330 South Third Street, #800
Las Vegas, NV 89155
(702) 455-6265
Attorneys for Tariq Manson

COMES NOW, Appellant Tariq Manson, by and through his attorneys, JoNell Thomas, Special Public Defender, Melinda E. Simpkins, Chief Deputy Special Public Defender, and Daniel Page, Chief Deputy Special Public Defender, and requests this Honorable Court to grant an extension of time of 30 days, up to and including July 3, 2021, to file the Answering Brief in this matter.

STATEMENT OF THE CASE

The State filed a Notice of Appeal from the district court's decision and order of dismissal of Mr. Manson's case (C-18-335833-1). The appeal was docketed in the Nevada Supreme Court on November 5, 2020.

The State's request for a 60-day extension to file their Opening Brief and Appendix was granted by this Court. The Opening Brief was filed May 4, 2021. Respondent's Answering Brief is due June 3, 2021.

Based on the reasons set forth in the Declaration of Counsel attached hereto, Mr. Manson is requesting 30 days to file his Answering Brief. This is his first Motion for an Extension.

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

Mr. Manson moves this Court for a 30-day extension of time to file his Answering Brief, up to and including July 3, 2021.

Dated this 2nd day of June, 2021.

SUBMITTED BY:.

/s/ MELINDA SIMPKINS

JoNell Thomas
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DECLARATION OF MELINDA SIMPKINS

MELINDA SIMPKINS, hereby declares as follows:

1. That I am an attorney duly licensed to practice law in the State of Nevada, and the attorney with the Clark County Special Public Defender's office assigned to represent Mr. Manson on his direct appeal.

2. I was not the trial attorney in this case.

3. The Answering Brief is due June 3, 2021.

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

1. The State requested a continuance of the filing date for the Appellant's Opening Brief.
2. As a result, the Opening Brief was served on our office while I was out on annual leave, thus decreasing the amount of time I have to respond.
3. In reviewing the Opening Brief, it is apparent that there are potential issues relating to jurisdiction, in addition to the issues raised by the Appellant, which will need to be researched prior to filing the Answering Brief and thus,

additional time is needed.

Therefore, I am requesting an extension of 30 days to file the Answering Brief in the instant matter, up to and including July 3, 2021.

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

Dated: June 2, 2021.

/s/ MELINDA SIMPKINS

MELINDA SIMPKINS

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on June 2, 2021, a copy of the foregoing Motion for Extension of Time to File Answering Brief (First Request) 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/ MELINDA SIMPKINS

MELINDA SIMPKINS