

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

2
3 THOMAS CASH

4 Appellant,

5 vs.

6
7 WILLIAM GITTERE,

8 Warden Ely State Prison

9 Respondent.

S.Ct. No. 82060

Electronically Filed
Sep 01 2021 11:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

10
11 **MOTION FOR ENLARGEMENT OF TIME**
12 **(Sixth Request)**

13 COMES NOW, THOMAS CASH, by and through his counsel in this
14 matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the
15 sixth time for another small enlargement of time of one (1) day from
16 September 1, 2021 to file Appellant's Opening Brief, making said Brief
17 due September 2, 2021. This motion is based upon the following
18 memorandum and all papers and pleadings on file herein.
19
20

21 DATED this 1st day of September, 2021.
22

23 /s/ Jean Schwartzer
24 JEAN J. SCHWARTZER, ESQ
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 Counsel for Appellant

1 **MEMORANDUM**

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned
3 case. Pursuant to NRAP 31(b)(3)(B), this Court may grant a fifth
4 motion for extension of time for filing a brief upon a showing of
5 extreme need. This is Appellant's sixth request for an extension of time.
6 This request and the previous three requests total ten (10) days.
7

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9 Appellant's Opening Brief is due today, September 1, 2021 and it is
10 complete with the exception of entering some of the citations to the appendix. With
11 respect to extreme need, Counsel for Appellant has had great difficulty merging the
12 direct appeal appendix and with the new post-conviction appendix to create one
13 continuous document. Although the appendices are now merged, counsel needs
14 additional time to enter the citations to the post-conviction portion of the appendix
15 into the brief. Therefore, Appellant moves for another small enlargement of
16 time of one (1) day through September 1, 2021 to enter in the citations to the brief.
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This Motion is made in good faith and not for the purposes of undue delay. I declare under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

DATED this 1st day of September, 2021.

/s/ Jean Schwartz
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AARON FORD, ESQ

ALEXANDER G. CHEN, ESQ.

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