

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARLEO EARL DAVIS,
Petitioner,

vs,

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK, AND THE
HONORABLE MICHAEL VILLANI,
DISTRICT JUDGE

Respondent,

and

THE STATE OF NEVADA,

Real Party in Interest.

Electronically Filed
Apr 06 2021 10:52 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 82271

D.C. NO: C-20-346920-3

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy District Attorney, JOHN NIMAN, and moves this Court for an enlargement of time within which to file Respondent's Answer. This Motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 6th day of April, 2021.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ John T. Niman

JOHN T. NIMAN
Deputy District Attorney
Nevada Bar #014408

MEMORANDUM

I, JOHN NIMAN, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

On January 4, 2021, Davis filed a Petition for Writ of Mandamus. On March 10, 2021, this Court directed the State to file an Answer within twenty-one days of the date Davis filed his supplemental appendix. Davis filed his supplemental appendix on March 16, 2021. The State's Answer is currently due on April 6, 2021. This Court may extend time to file an Answer upon a showing of good cause. NRAP 31(b)(3).

The State herein makes its first request for an enlargement of time. The State has filed a Motion to Dismiss on April 2, 2021. The State requests thirty additional days from the date the Motion to Dismiss is decided to include April 6, 2021, within which to file an Answer. If the Motion to Dismiss is denied, the State would want to file an Answer to the Writ of Mandamus. As such, the State respectfully requests additional time to file an Answer in case the Motion to Dismiss is denied. This motion is made in good faith and not for the purposes of undue delay.

I declare under penalty of perjury that the factual representations set forth in the foregoing memorandum are true and correct.

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Dated this 6th day of April, 2021.

Respectfully submitted,

STEVEN B. WOLFSON

Clark County District Attorney

BY */s/ John T. Niman*

JOHN T. NIMAN

Deputy District Attorney

Nevada Bar #014408

Office of the Clark County District Attorney

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 6th day of April, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

JOSHUA L. TOMSHECK, ESQ.
Counsel for Appellant

JOHN T. NIMAN
Deputy District Attorney

BY /s/ J. Garcia
Employee, District Attorney's Office

JEV/Brianna Stutz/jg