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Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT OF NEVADA

IN THE MATTER OF: E.S., A CHILD.

THE STATE OF NEVADA

Appellant

vs.

E.S., A CHILD

Respondent

Case No: 82614

MOTION TO PERMIT LATE FILING

COMES NOW, EDWARD STEEVES, by and through his attorney of
record and respectfully brings this Motion to Permit Late Filing of Respondent's
answering brief.

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

ARGUMENT

On September 27, 2021, this Honorable Court issued an Order Granting Leave To Appeal And Directing Full Briefing. On September 29, 2021, former counsel of record and appointed public defender, Daniel Martinez filed a Substitution of Attorney pursuant to NRAP 46(d)(2).

Appellant filed its Brief on October 5, 2021. Pursuant to this Court's Order Respondent had 28 days from the date that appellant's brief is served to file and serve the answering brief. Accordingly, Respondent's brief was due November 2, 2021. Due to inadvertence, Respondent did not file the brief on November 2, 2021. Respondent is nearly complete with the answering brief; however, Respondent needs additional time to complete the brief.

Counsel sincerely apologizes to the Court and the State for the inconvenience. Given that this case deals with an issue of public concern, it would respectfully be in the public interest for this matter to be decided on the merits.

For the foregoing reasons, Mr. Steeves, by and through his attorney of record, respectfully requests that this Honorable Court not hold his counsel's honest inadvertence, which they respectfully apologize for, against him and permit the filing of Respondent's answering brief on November 16, 2021.

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Respectfully submitted this 7th day of November, 2021.

Nadine M. Morton
NADINE M. MORTON, ESQ.
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Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a true and correct copy of the foregoing by:

- ☒ Mail on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At Nadine Morton Law Office mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Las Vegas, County of Clark, Nevada.
- ☒ By Electronic service by filing the foregoing with the Clerk of Court using the Eflex on line filing system, which will electronically mail the filing to the following individuals at the email addresses registered for this case.
- ☒ Personal delivery by causing a true copy thereof to be hand delivered this date to the address(es) at the address(es) set forth below:
CHRISTOPHER ARABIA
NYE COUNTY DISTRICT ATTORNEY
PO Box 39
Pahrump, NV 89041
Attorney for Appellants
- ☐ Facsimile on the parties in said action by causing a true copy thereof to be telecopied to the number indicated after the address(es) set forth below.
- ☐ Federal Express or other overnight delivery.

addressed as follows:

DATED this 8^h day of November, 2021.

/s/Nadine M. Morton
Nadine M. Morton, Esq.,
Nevada Bar No. 8583