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

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4 TOYER EDWARDS,  
5 Appellant,  
6 vs.  
7 STATE OF NEVADA,  
8 Respondent.  
9

Electronically Filed  
Case No. 82639 Nov 29 2021 11:12 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
**APPELLANT'S MOTION  
FOR EXTENSION OF TIME  
TO FILE OPENING BRIEF  
AND APPENDIX (3rd Request)**

10 COMES NOW, Christopher R. Oram, Esq., attorney for Appellant TOYER  
11 EDWARDS, and moves this Court for an Order granting an extension of time of  
12 twenty-one (21) days from the date the Opening Brief and Appendix are now due,  
13 to wit: November 29, 2021, and to extend the time up to and including December  
14 20, 2021, for the filing of the Opening Brief and Appendix. This motion is made  
15 and based upon NRAP 27 and 31(a), the Affidavit of Christopher R. Oram, Esq.,  
16 filed herewith, and the Points and Authorities attached hereto.  
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19 DATED this 29th day of November, 2021.  
20

21 Respectfully submitted,

22 By: /s/ Christopher R. Oram  
23 Christopher R. Oram, Esq.  
24 Nevada Bar No. 4349  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **ARGUMENT**

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4 ***Extraordinary Circumstances and Extreme Need Exist to Enlarge the Time to***  
5 ***File Appellant's Opening Brief and Appendix***

6 Nevada Rules of Appellate Procedure (NRAP) Rule 31(a) provides that an  
7 appellant shall serve and file an opening brief within one hundred and twenty (120)  
8 days after the appeal is docketed in the Nevada Supreme Court.  
9

10 Additionally, NRAP 31(b)(3)(B) provides that this Court may grant an  
11 extension of time upon a showing of extraordinary circumstances and extreme  
12 need.  
13

14 Mr. Edwards' Opening Brief and Appendix are currently due on November  
15 29, 2021. This is the third request for an extension of time. Counsel requires  
16 additional time to finalize the Opening Brief in this case. Counsel has been  
17 diligently preparing for the appeal and preparing the appendix, however, Counsel  
18 requires this final brief continuance.  
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21 Counsel understands that case load is not ordinarily an excuse that  
22 necessitates a continuance. Unforeseen circumstances occurred in Counsel's back-  
23 to-back murder trials that spanned the months of August through late October. In  
24 *State v. Omar Rueda-Denvers*, Case No. 07C235875-1, a juror tested positive for  
25 COVID-19, which caused a mid-trial delay. The scheduling issues then required  
26 the State to need an accommodation to handle a different trial, which only gave  
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1 Defense Counsel one week between the Rueda-Denvers murder trial and the  
2 capital trial in *State v. Contrayer Zone*, Case No. C-16-316686-2, that did not  
3 conclude until October 22, 2021. Since that time, Counsel has worked on this  
4 appeal and requests this brief continuance to finalize the appeal.  
5

6 Based upon the record and Counsel's trial schedule, there is an extreme need  
7 to extend the time to allow Counsel to finalize the Opening Brief. Therefore,  
8 Counsel respectfully requests that this Court extend the time to file the Appellant's  
9 Opening Brief and Appendix by twenty-one (21) days.  
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### 12 **CONCLUSION**

13 Based on the foregoing, Counsel requests a twenty-one (21) day extension to  
14 file the Opening Brief and Appendix by December 20, 2021.  
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16 DATED November 29, 2021.

17 Respectfully submitted,

18 By: /s/ Christopher R. Oram  
19 Christopher R. Oram, Esq.  
20 Nevada Bar No. 4349  
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1                   **AFFIDAVIT OF CHRISTOPHER R. ORAM IN SUPPORT OF**  
2                   **APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE**  
3                   **OPENING BRIEF AND APPENDIX**

4   COUNTY OF CLARK    }  
5   STATE OF NEVADA    } ss:

6           Affiant, CHRISTOPHER R. ORAM, ESQ., being duly sworn, deposes, and  
7   states as follows:

- 8           1. I am an attorney duly licensed to practice law in the State of Nevada. I am  
9           counsel for the Appellant in the above-entitled matter. I have personal  
10          knowledge of all matters contained herein and am competent to testify  
11          thereto.  
12  
13          2. Appellant Edwards' Opening Brief and Appendix are currently due on  
14          November 29, 2021. This is the third request for an extension of time.  
15  
16          3. Counsel understands that a case load is not ordinarily an excuse that  
17          necessitates a continuance. Counsel been diligently working to prepare Mr.  
18          Edwards' Opening Brief and Appendix. Extreme need has occurred due to  
19          Counsel's back to back murder trials that spanned the months of August  
20          through late October. In *State v. Omar Rueda-Denvers*, Case No.  
21          07C235875-1, a juror tested positive for COVID-19, which caused a mid-  
22          trial delay. The scheduling then required the State to need an  
23          accommodation to handle a different trial, which resulted in Counsel only  
24          having one week between the Rueda-Denvers trial and the capital trial in  
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*State v. Contrayer Zone*, Case No. C-16-316686-2, which concluded on October 22, 2021.

4. Counsel respectfully requests that this Court grant this extension and permit Counsel to file the Opening Brief and Appendix by December 20, 2021.
5. That this motion is made in good faith and not for the purposes of delay.
6. That I affirm under the penalty of perjury, the foregoing is true and correct.

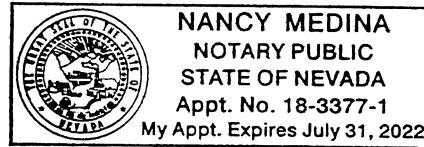
FURTHER YOUR AFFIANT SAYETH NAUGHT

DATED this 29th day of November, 2021.

1.   
CHRISTOPHER R. ORAM, ESQ.

SUBSCRIBED AND SWORN TO before me  
this 29th day of November, 2021.

Nancy Medina  
NOTARY PUBLIC in and for said  
County and State



1 **CERTIFICATE OF SERVICE**

2 I hereby certify and affirm that this document was filed electronically with  
3 the Nevada Supreme Court on November 29, 2021. Electronic Service of the  
4 foregoing document shall be made in accordance with the Master Service List as  
5 follows:  
6  
7

8  
9 AARON FORD  
Nevada Attorney General

10  
11 STEVEN B. WOLFSON  
Clark County District Attorney  
12

13 By: /s/ Nancy Medina  
14 Law Offices of Christopher R. Oram  
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