IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 JORGE MENDOZA, NO. 82740 3 Electronically Filed Aug 04 2021 10:41 a.m. 4 Appellant, Elizabeth A. Brown 5 Clerk of Supreme Court VS. 6 7 STATE OF NEVADA, 8 Respondent. 9 10 11 MOTION FOR LEAVE TO FILE APPELLANT'S OPENING BRIEF IN **EXCESS OF TYPE-VOLUME LIMITATIONS** 12 13 COMES NOW Appellant MENDOZA, through his attorney Diane Lowe and 14 15 submits this Motion pursuant to NRAP28(g) and the attached Declaration of 16 Counsel, and respectfully moves for leave to file Appellant's Answering 17 18 Brief in Excess of Type-Volume Limitations pursuant to NRAP 32(a)(7)(D). 19 Dated this 4th Day of August 2021. 20 21 22 Respectfully Submitted, 23 2.4 s/ Diane C. Lowe DIANE C. LOWE, ESQ. 25 LOWE LAW, LLĆ 7350 West Centennial Pkwy #3085

Las Vegas, NV 89131 (725) 212-2451

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DECLARATION

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I, DIANE LOWE, am a duly licensed attorney in the State of Nevada and am employed by Lowe Law, L.L.C.

Except by Court Order an Appellant's Opening Brief shall not exceed 30 pages in length or shall contain no more than 14,000 words or 1,300 lines of text. NRAP 32(a)(7)(A)(i)-(ii); NRAP 32(a)(7)(D).

This case involves a 19-day jury trial with 3 codefendants tried together.

The 17 volume Appendices is 3744 pages.

The Opening Brief is currently around 76 pages and 20,000 words.

The length of the record and arguments necessitates a more detailed and lengthy response then the word limits allow. Appellate has diligently sought to respond in as concise a manner as possible, without sacrificing depth, breadth, or accuracy. NRAP 32(a)(7)(A)(D)(i).

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated this 4th Day of August 2021.

Respectfully Submitted,

s/ Diane C. Lowe DIANE C. LOWE, ESO. 7350 West Centennial Pkwy #3085

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on the 4th day of August 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

Alexander G. Chen Clark County District Attorney

/s/ Diane C. Lowe DIANE C. LOWE, ESQ. LOWE LAW, LLC