

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVIN MARVELL TONEY,
Appellant,
v.
THE STATE OF NEVADA,
Respondent.

Electronically Filed
Dec 09 2021 08:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 83246

MOTION FOR ENLARGEMENT OF TIME

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

Dated this 9th day of December 2021.

Respectfully submitted,

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

BY /s/ Taleen Pandukht
TALEEN PANDUKHT
Chief Deputy District Attorney
Nevada Bar #005734
Office of the Clark County District Attorney

MEMORANDUM

I, TALEEN PANDUKHT, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office. I am the supervising attorney in the above-captioned case. Respondent's Answering Brief is currently due December 9, 2021. The State requests a thirty-day (30) extension of time in which to file its Answering Brief. This Court may extend time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3).

The State herein makes its first request for an enlargement of time. The State requests thirty (30) days within which to file Respondent's Answering Brief. This is an Appeal from the Denial of a Supplemental Petition for Writ of Habeas Corpus. Appellant has had substantial time to identify and brief the issues in the instant appeal. Appellant filed his Opening Brief on November 9, 2021. The issues raised by Appellant require a thorough examination of the record and related case law. The new law clerk responsible for the instant appeal needs more time to adequately review the record and research the issues to submit a thorough and accurate answering brief for this Court's review. Due to the above-described circumstances, Respondent respectfully requests the Court's permission for an extension of time of thirty (30) days. If granted, the new filing date for the State's Answering Brief would be on January 10, 2022. This is Respondent's first Motion for Enlargement of Time, and this motion is made in good faith and not for purposes of undue delay.

Dated this 9th day of December 2021.

Respectfully submitted,

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

BY */s/ Taleen Pandukht*

TALEEN PANDUKHT
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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on December 9, 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

TERRENCE M. JACKSON, ESQ.
Counsel for Appellant

TALEEN PANDUKHT
Chief Deputy District Attorney

BY /s/ E. Davis

Employee,
Clark County District Attorney's Office