

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

2
3 HERMAN WILLIAMS,

4 Appellant,

5 vs.

6 NADINE WILLIAMS,

7 Respondent.

No.: 83263

Electronically Filed
Feb 07 2022 07:10 p.m.

Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXTEND TIME FOR
BRIEFING (Second Written
Request)**

8 Appellant, by and through his counsel, F. Peter James, Esq. hereby moves
9 this Honorable Court to extend the time to file the Fast Track Statement and
10 Appendix.

11 **DECLARATION OF F. PETER JAMES, ESQ.**

12 I, F. Peter James, Esq., hereby declare and state under penalty of perjury
13 as follows:

- 14 1. I am a member in good standing of the State Bar of Nevada.
- 15 2. I am counsel for Appellant in the above-entitled matter.
- 16 3. I have personal knowledge of the facts contained in this declaration, save
17 those stated upon information and belief, and, as to those matters, I believe
18 them to be true.
- 19 4. I am competent and willing to testify in a court of law as to the facts
20 contained herein.

1 5. I had previously requested a telephonic extension of time, which was
2 granted.

3 6. I previously requested an extension through February 7, 2022. The basis
4 for that request was that we are still awaiting transcripts.

5 7. I am requesting a three-week extension of time due to several personal
6 reasons. I have not been able to work at full capacity due to compounding
7 injuries from a second car accident in under two years. I also had to take
8 time off work due to my father's ailing health. He has prostate cancer that
9 spread into his hip and lymph nodes. He also has numerous other health
10 issues and is wheelchair bound. I spend most of this weekend assisting
11 him. He was transitioning from a better than four-week stay in the hospital
12 / rehabilitation facility (he was home for a few days in between this stay
13 and the prior stay) into his home. We are finding a nursing home for him
14 as Medicare has run out of benefits for him as to rehabilitation. We are
15 looking into VA benefits as well. This all takes time and energy.

16 8. There is no prejudice to the other side as she has joint physical custody.

17 9. The current extended deadline is today by before midnight.

18 /s/ *F. Peter James*

February 7, 2022

19 F. PETER JAMES, ESQ.

DATE

1 **POINTS AND AUTHORITIES**

2 Appellant is requesting until February 28, 2022 to file the Fast Track
3 Statement and Appendix. As state above, Counsel for Appellant is has had to
4 take time off work for personal medical reasons and caring for family.

5 Requests for relief must be made by motion absent another way prescribed
6 by rule. *See* NRAP 27(a)(1). Generally, a request for extension of time to file a
7 document must be made before the deadline has passed. *See* NRAP 31(b)(3).
8 For good cause shown, however, the Court may extend the time for filing a brief
9 as prescribed by the NRAP even after the deadline has expired. *See* NRAP
10 26(b)(1)(A).

11 For the reasons stated herein, I am requesting an additional three weeks to
12 file and serve the Fast Track Statement and Appendix.

13 There is no prejudice to Respondent as she has joint physical custody of
14 the children.

15 Dated this 7th day of February, 2022

16 /s/ *F. Peter James*

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LAW OFFICES OF F. PETER JAMES

18 F. Peter James, Esq.

19 Nevada Bar No. 10091

3821 W. Charleston Blvd., Suite 250

19 Las Vegas, Nevada 89102

702-256-0087

20 Counsel for Appellant

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Frank Toti, Esq.
Counsel for Respondent

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