

IN THE SUPREME COURT OF THE STATE OF NEVADA

IAN CHRISTOPER HELD,

No. 83549

Electronically Filed
Apr 19 2022 10:24 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

_____ /

MOTION FOR ENLARGEMENT OF TIME

COMES NOW, the State of Nevada, by and through counsel, and respectfully requests this Court to enter an Order extending the time in which the State may file its Answering Brief in the above-entitled matter, to and including May 5, 2022. This request is predicated on NRAP 26(b) and the attached Affidavit of Counsel.

DATED: April 19, 2022.

CHRISTOPHER J. HICKS
DISTRICT ATTORNEY

By: JENNIFER P. NOBLE
Chief Appellate Deputy

AFFIDAVIT OF COUNSEL

I, JENNIFER P. NOBLE, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. That your affiant is a duly licensed attorney in the State of Nevada, the Chief of the Appellate Division of the Washoe County District Attorney, and is counsel of record for Respondent.

2. That your affiant is requesting an extension of time from April 21, 2022, the date the State's Answering Brief is currently due, to May 5, 2022.

3. That your affiant first learned of this appeal on the evening of April 18, 2022, via a Notice to File Answering Brief dated April 14, 2022 and postmarked April 15, 2022.

4. That the Notice to File Answering Brief was received to the general mailbox for the Washoe County District Attorney via U.S. mail on April 18, 2022.

5. That your neither your affiant nor any member of the Appellate Division of the Washoe County District Attorney's office has ever received electronic service or service by mail of the Opening Brief or appendices.

6. That on April 19, 2022, your affiant contacted the Nevada Supreme Court Clerk's Office via telephone at 8:05 a.m. and was informed

by an employee of the Clerk's office that contrary to the Court's typical procedure, your affiant was inadvertently not added to the case at the time of docketing. The employee further stated that a critical case note regarding the omission would be added to the file.

7. According to the Notice to File Answering Brief, the brief is overdue and must be filed by April 21, 2022.

8. That your affiant was just added to the electronic filing list this morning, April 19, 2022, permitting electronic access to the case.

9. That your affiant will begin working on the brief today and is gravely concerned that it is overdue, your affiant cannot complete the Answering Brief by the current April 21, 2022 deadline due to the size of the record and issues presented on appeal.

10. That this is your affiant's first request for an extension of time in this case.

11. That your affiant has contacted counsel of record for the Appellant, who has no objection to the requested enlargement of time.

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12. That this motion is made in good faith and not for purposes of delay.

Further your affiant sayeth not.

By: JENNIFER P. NOBLE
Chief Appellate Deputy
State Bar No. 9446

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on April 19, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Melissa Rosenthal, Esq.

Tatyana Kazantseva
Washoe County District Attorney's Office