

IN THE SUPREME COURT OF THE STATE OF NEVADA

TULY LEPOLO,

Petitioner,

v.

THE STATE OF NEVADA,

Real Party in Interest.

Electronically Filed
Jan 19 2022 04:06 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 83755

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his deputy, JOHN AFSHAR, and moves this Court for an enlargement of time within which to file Real Party In Interest's Answer to Lepolo's Petition for Writ of Mandamus. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this January 18, 2022

Respectfully submitted,

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

BY /s/ John Afshar
JOHN AFSHAR
Deputy District Attorney
Nevada Bar #014408
Office of the Clark County District Attorney

MEMORANDUM

I, JOHN AFSHAR, 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. Real Party In Interest's Answer to Lepolo's Petition for Writ of Mandamus is currently due on Thursday, January 20, 2022. The State requests a thirty-day (30) extension of time in which to file its Answer. NRAP 31(b)(3).

This is the State's first request for an enlargement of time. If granted, the new filing date for Real Party In Interest's Answer would be due on or before Monday, February 21, 2022.

Appellant filed his Petition on November 10, 2021. This Court ordered the State to respond on December 23, 2021. The State is preparing a Respondent's Appendix to include documents omitted by Petitioner. Since there has been no trial and no preliminary examination in this case, the Appellate Division must consult with the Deputy District Attorneys assigned to the case to ensure accuracy. The issues raised by Appellant require a thorough examination of the record and related case law.

Due to the above-described circumstances, Respondent respectfully requests the Court's permission for an extension of time of thirty (30) days to file its Answer.

This is Real Party In Interest's first Motion for Enlargement of Time, and this motion is made in good faith and not for purposes of undue delay.

Dated this January 19, 2022.

Respectfully submitted,

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

BY */s/ John Afshar*

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CERTIFICATE OF SERVICE

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

AARON D. FORD
Nevada Attorney General

YAMPOLSKY & MARGOLIS
Counsel for Petitioner

JOHN AFSHAR
Deputy District Attorney

BY /s/ Alexander Chen
Chief Deputy District Attorney,
Clark County District Attorney's Office