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3 IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Apr 21 2022 12:22 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

4
5 KEVIN JOHN

6 MENTABERRY,

7 Appellant,

CASE NO. 83878

8 vs.

9 THE STATE OF NEVADA,

10 Respondent.

11
12 OPPOSITION TO APPELLANT'S MOTION FOR EXTENSION OF TIME

13 COMES NOW, Respondent, State of Nevada, by and through its attorneys,
14 TYLER J. INGRAM, District Attorney for the County of Elko, and Chad B.
15 Thompson, Deputy District Attorney, and submits this Opposition.

16 Dated this 21st day of April, 2022.

17 TYLER J. INGRAM
ELKO COUNTY DISTRICT ATTORNEY

18 By: 

19 Chad B. Thompson
Chief Criminal Deputy District Attorney
State Bar No. 10248

POINTS AND AUTHORITIES

The party requesting the extension must demonstrate “extraordinary and compelling circumstances.” NRAP 26(b)(1). Appellant’s motion is lacking in detail as to why this extension is necessary. The allegation of “missing materials” as well as simply stating “major issues” lacks specificity. What materials regarding what issue? This Court cannot find the need extraordinary and compelling if the reason is so vague.

Regarding the move, while the State is not aware of the size and scope of the move since it is again not sufficiently articulated, but the State would suggest that this is exactly why the 14 day extension exists, for life events, and the 14 days were granted.

The State’s reading of the Motion is that the request for an extra month clearly is not due to the move, but rather the “missing materials” and there is not enough specificity in the Motion to meet such a high burden of demonstrating extraordinary and compelling reasons to grant the extension. The Motion should be denied.

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Honorable Aaron D. Ford
Nevada Attorney General

JOHN MALONE
Attorney for Appellant

Shauna L. Plunkett
CASEWORKER

DA#: AP-18-03371