

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS CASH

Appellant,

VS.

WILLIAM GITTERE,

Warden Ely State Prison

Respondent.

S.Ct. No. 82060

Electronically Filed
Aug 26 2021 10:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME
(Fourth Request)

COMES NOW, THOMAS CASH, by and through his counsel in this matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the fourth time for another small enlargement of time of four (4) days from August 26, 2021 to file Appellant's Opening Brief, making said Brief due August 30, 2021. This motion is based upon the following memorandum and all papers and pleadings on file herein.

DATED this 26th day of August, 2021.

/s/ Jean Schwartz
JEAN J. SCHWARTZER, ESQ
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Counsel for Appellant

1 **MEMORANDUM**

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned
3 case. Pursuant to NRAP 31(b)(3)(B), this Court may grant a fourth
4 motion for extension of time for filing a brief upon a showing of
5 extreme need. This is Appellant's fourth request for an extension of time.
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7 Appellant's Opening Brief is due today, August 26, 2021. Appellant
8 recently asked for a three day extension for counsel to have time to confer
9 with Appellant about some factual assertions in his pro per petition filed in
10 district court, which is the subject of the instant appeal. With respect to
11 extreme need, counsel was able to confer with Appellant yesterday afternoon.
12 However, the information that was given during the phone call necessitates more
13 changes to the opening brief than initially anticipated, including the filing of a
14 motion to expand the record. Therefore, Appellant moves for one final small
15 enlargement of time of four (4) days, which includes the weekend, within
16 which to file Appellant's Opening Brief up to and including August 30, 2021.
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1 This Motion is made in good faith and not for the purposes of undue delay. I
2 declare under penalty of perjury the factual representations set forth in the
3 foregoing memorandum are true and correct.
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6 DATED this 26th day of August, 2021.
7

8
9 /s/ Jean Schwartzer
10 JEAN J. SCHWARTZER, ESQ
11 Nevada State Bar No. 11223
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically foregoing document shall be made in accordance with the Master Service List as follows:

AARON FORD, ESQ

ALEXANDER G. CHEN, ESQ.

BY: /s/ Jean Schwartz
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