

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Mar 18 2022 05:44 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

JOSEPH S. GILBERT, ESQ.,

Petitioner,

vs.

Case No. 84113

STATE BAR OF NEVADA,

Respondent.

MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO  
PETITIONER'S EMERGENCY MOTION  
FOR STAY OF PROCEEDINGS (FIRST REQUEST)

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## **I. Memorandum of Points and Authorities**

### **A. LEGAL AUTHORITY**

NRAP 26(b)(1)(A) states “For good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires.”

### **B. REQUEST FOR TWO-DAY EXTENSION OF TIME.**

The State Bar was directed to respond to the Writ for Mandamus on or before March 18, 2022. Petitioner filed a Motion for Stay of the Proceedings on March 9, 2022. Pursuant to NRAP 27, the State Bar’s response to Petitioner’s Motion for Stay of the Proceedings was due on March 16, 2022.

Candidly, the State Bar inadvertently miscalculated the deadline for the opposition to the motion and conflated the deadline for the two documents. The State Bar seeks to file its brief on March 18, 2022; only two days after the deadline.

This Court has an “announced policy to encourage trial upon the merits.” *Adams v. Lawson*, 84 Nev. 687, 689, 448 P.2d 695, 696 (1968). Allowing the State Bar a two-day extension of time to submit the Opposition to Motion for Stay of Proceedings is reasonable and will allow the request, and opposition thereto, to be considered on its merits.

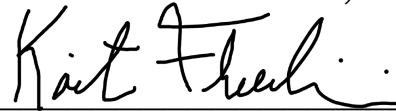
Petitioner will not suffer irreparable or serious injury if the Court allows the two-day extension of time and considers the State Bar's Opposition to the Motion to Stay Proceedings. The efficiency of the proceeding will not be harmed because the opposition is already submitted.

## **II. CONCLUSION**

The State Bar respectfully asks the Court to grant its request for a two-day extension of time to file the Opposition to the Motion to Stay Proceedings so that the full merits of the request can be considered.

Respectfully submitted this 18th day  
of March 2022.

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL



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