

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM BLANDINO,

Appellant,

vs.

STATE OF NEVADA,

Appellee.

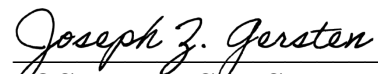
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Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court No.: 8423
District Court Case No. 2023-04176

MOTION FOR ENLARGEMENT OF TIME

COMES NOW Appellant KIM BLANDINO, by JOSEPH Z. GERSTEN, ESQ. of THE GERSTEN LAW FIRM PLLC, and moves this Court for an enlargement of time within which to file the Appellant's Reply Brief. This motion is based on the following memorandum and declaration of counsel and all papers and pleadings on file herein.

Dated this 5th day of July 2023.

Respectfully submitted,



JOSEPH Z. GERSTEN

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MEMORANDUM

I, JOSPEH Z. GERSTEN, am a duly licensed attorney in the State of Nevada and am employed by The Gersten Law Firm PLLC. Appellant's Counsel is requesting a short thirty (30) day extension of time in which to file his Reply Brief under NRAP 26(b)(1)(A) and NRAP 31(b)(3). Appellant's Reply Brief is currently due July 10, 2023. This is the Appellant's Second request for an extension regarding this filing after his initial 2-week telephonic request.

This is an Appeal from a jury verdict in the Eight Judicial District Court, Department XII, the Honorable Leavitt, J. presiding.

Simply put, this case has been the proverbial marathon, not the sprint. And while the end is near, this counsel simply needs another thirty (30) days to prepare a quality document replete with appropriate references and citations. This counsel has no compunction telling this Court that the detail and scope of the pleadings is simply convoluted, and this counsel just needs a little more time to try and confer in a meaningful way with his client.

As this Court is aware, Counsel has previously filed a Motion to Withdraw from representing the Appellant / Defendant in this matter citing an irreparable conflict. This was denied. Subsequently, this Counsel filed a similar motion in the District Court for similar, but even more pronounced conflicts with the Appellant / Defendant. This was denied by Leavitt, J. This has led to some difficulties in effective communication.

As a result, this Counsel simply needs more time to prepare Appellant / Defendant's Reply Brief. Again, this Counsel implores this Court to grant this enlargement so as to prepare said documents and not embarrass himself, or this Court.

Due to the above described circumstances, the Counsel respectfully requests an additional 30 days, within which to file his Reply Brief.

Counsel has not had the opportunity to contact the State regarding this request.

This motion is made in good faith and not for purposes of undue delay. The Appellant also notes that the State will not be prejudiced by the extension, as it was a ruling against the Appellant that is the subject of this appeal.

I declare under penalty of perjury that the factual representations set forth in the foregoing memorandum are true and correct.

Dated this 5th day of July 2023.


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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on the 5th day of July 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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BY Joseph Z. Gersten
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