

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEVON RAY HOCKEMIER,

Appellant,

DISTRICT COURT CASE NO: CV-HC-17-267
SUPREME COURT NO: 83147

vs.

**RENEE BAKER, WARDEN,
LOVELOCK CORRECTIONAL
CENTER (LLC)**

**MOTION TO EXTEND TIME
TO FILE CASE APPEAL STATEMENT**

Respondent.

MOTION TO EXTEND TIME TO FILE CASE APPEAL STATEMENT

COMES NOW, the Appellant, by and through his attorney of record,
DAVID D. LOREMAN, CHTD., and hereby moves this Honorable Court for an
Order extending time to file the Case Appeal Statement. This Motion is based
upon *NRAP* 27(a),(b) and (c) and *NRAP* 26(b) and the attached points and
authorities and unsworn declaration of David D. Loreman.

RESPECTFULLY SUBMITTED this 13th day July, 2021.

DAVID D. LOREMAN, CHTD.
445 Fifth Street, Suite 210
Elko, Nevada 89801
(775) 738-6606

By: /s/ David D. Loreman
DAVID D. LOREMAN, ESQ.
Bar No. 3867
Attorney for Appellant

DAVID D. LOREMAN, CHTD.
ATTORNEY AND COUNSELOR
445 Fifth Street, Suite 210
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1 **POINTS AND AUTHORITIES**

2 **FACTUAL BACKGROUND**

3 On July 13, 2021, a Case Appeal Statement was filed. On that same date a
4 rejection was filed for the Statement being late as it was to be filed on July 12,
5 2021. On July 12, 2021 Counsel had several hearings that lasted until late in the
6 day. Upon arrival back to Counsel's office it was found that the temperature had
7 climbed and had gone over 99 inside the office due to an air conditioning failure.¹
8 Counsel attempted several times to use the computers in his office, but the heat had
9 caused them to become disabled. Counsel attempted to cool the computers and
10 modem down so that he could complete the filing but was unable to do so.
11 Counsel was also past 5:00 pm when he arrived at the office and was not able to
12 contact the Clerk of the Court regarding this matter. The following morning
13 Counsel changed the dates on the document to reflect the proper date and was able
14 to transmit the document to the Court in the morning. This was an inadvertent
15 action of Counsel as he submitted the document as soon as he was able after the
16 computer came back up and he was able to access the internet connection. It is
17 respectfully requested that Counsel be allowed to file the Case Appeal Statement as
18 of today's date due to the failure of the air conditioning in Counsel's office and the
19 corresponding shut down of the computers in Counsel's office.

20 **CONCLUSION**

21 Based upon the forgoing, it is respectfully submitted that good cause be
22 found and it is requested that an extension of time be granted so that the Case
23 Appeal Statement filed on this date be accepted.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 ///

26 ///

27 _____
28 ¹ The thermostat read "HI" as it had surpassed the number 99.

1 RESPECTFULLY SUBMITTED this 13th day July, 2021.

2
3 **DAVID D. LOREMAN, CHTD.**
4 445 Fifth Street, Suite 210
5 Elko, Nevada 89801
6 (775) 738-6606

7 By: /s/ David D. Loreman
8 **DAVID D. LOREMAN, ESQ.**
9 Bar No. 3867
10 *Attorney for Appellant*

11 **CERTIFICATE OF SERVICE**

12 Pursuant to NRCp 5(b), I hereby certify that I am an employee of **DAVID**
13 **D. LOREMAN, CHTD.,** and that on this 13th day of July 2021, a true and correct
14 copy of the foregoing document was delivered by the Courts Electronic Service
15 List in this matter to the following:

16 Elko County District Attorney
17 Pursuant to Electronic Service List

18 Nevada State Attorney General
19 Pursuant to Electronic Service List

20 /s/ Reta J. Loreman