

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ALEXANDER JENKINS ,
Appellant.

v.

STATE OF NEVADA,
Respondent.

Electronically Filed
Dec 29 2021 03:53 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 83465

**MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S
OPENING BRIEF AND APPENDIX**

COMES NOW, Appellant, RICHARD A. JENKINS, by and through the undersigned counsel, and moves this Honorable Court for an Order granting him an extension of time of thirty (30) days to file the Appellant's Opening Brief and Appellant's Appendix.

This Motion is brought pursuant to NRAP 26(b)(1), 27(b) and (c), and 31(1)(A).

The Opening Brief and Appendix are due to be filed on or before January 5, 2022. This Motion seeks an extension of time of that date until Friday, February 4, 2022.

This is the first extension sought.

The within Motion is based upon the accompanying Declaration of Counsel.

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DATED this 29th day of December, 2021.

Respectfully submitted,

RICHARD F. CORNELL, P.C.
150 Ridge Street, 2nd Floor
Reno, Nevada 89501

By: /s/RichardCornell
Richard F. Cornell

DECLARATION OF COUNSEL

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

RICHARD F. CORNELL, under penalty of perjury, swears and declares as follows:

1. Counsel is counsel for the Appellant, RICHARD ALEXANDER JENKINS.
2. Counsel makes this declaration in support of his Motion for Extension of Time to File Appellant's Opening Brief and Appendix.
3. The undersigned has obtained the entire trial transcript and had copies of transcripts from numerous pre-trial proceedings litigated by trial counsel, Theresa Ristenpart. The undersigned has reviewed most of them and has spoken at length with Ms. Ristenpart about the issues in this case.

4. The undersigned was retained by William J. Routsis, Esq. in the appeal in the United States Court of Appeals for the Ninth Circuit, Darren Roy Mack v. Warden. The undersigned has found this to be one of the most complex appeals that the undersigned has handled in 44 years. That brief is due on or about January 13, 2022. The Excerpts of Record (the Ninth Circuit nomenclature for the Appendix) will be massive. That case is going to take almost all of the undersigned's time between now and then. Additionally, the undersigned has another day of evidentiary hearing in the writ petition of Rico-Rivas v. Warden for January 27, 2022, and the undersigned will need to prepare for that. Those two cases are the main ones, but not the only ones, causing a press of business.

5. It is the undersigned's intent, upon finishing Mack, to devote as much attention as possible to this case. If the undersigned is not able to complete it by February 5, a second motion will seek a short extension.

6. The undersigned spoke with Chelsea Mazza, Deputy District Attorney on December 28, 2021 and counsel for the State. She has graciously indicated no objection to the granting of this particular motion.

Your Declarant swears and declares under penalty of perjury that the foregoing assertions of fact are true and correct. Further, statements of opinion herein are the undersigned's own, and are based upon 44 years of the practice of law.

DATED this 29th day of December, 2021, and executed under penalty of perjury in the city of Reno, county of Washoe, state of Nevada.

Richard Cornell
RICHARD F. CORNELL

CERTIFICATE OF SERVICE

The undersigned does hereby swear and declare under penalty of perjury that they are an employee of RICHARD F. CORNELL, P.C., and that on the 29th day of December, 2021, they caused a true and correct copy of the preceding document to be served upon all necessary parties by way of electronic service through the Court's E-flex filing system, addressed as follows:

Chelsea Mazza, Deputy District Attorney
Douglas County District Attorney's Office
1028 Buckeye Road
Minden, Nevada 89423
cmazza@douglas.nv.gov

DATED this 29th day of December, 2021.

/s/KathrynOBryan
Kathryn O'Bryan