

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2
3 HERMAN WILLIAMS,

4 Appellant,

5 vs.

6 NADINE WILLIAMS,

7 Respondent.

No.: 83263

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Elizabeth A. Brown
Clerk of Supreme Court
**MOTION TO EXTEND TIME FOR
BRIEFING (First Written Request)**

8 Appellant, by and through his counsel, F. Peter James, Esq. hereby moves
9 this Honorable Court to extend the time to file the Fast Track Statement and
10 Appendix.

11 **DECLARATION OF F. PETER JAMES, ESQ.**

12 I, F. Peter James, Esq., hereby declare and state under penalty of perjury
13 as follows:

- 14 1. I am a member in good standing of the State Bar of Nevada.
- 15 2. I am counsel for Appellant in the above-entitled matter.
- 16 3. I have personal knowledge of the facts contained in this declaration, save
17 those stated upon information and belief, and, as to those matters, I believe
18 them to be true.
- 19 4. I am competent and willing to testify in a court of law as to the facts
20 contained herein.

1 5. I had previously requested a telephonic extension of time, which was
2 granted. The basis for this request was that we are still awaiting transcripts.

3 6. I am requesting an extension through February 7, 2022. The current
4 deadline is today by before midnight.

5 7. There is no prejudice to the other side as she has joint physical custody.

6 /s/ *F. Peter James*

December 14, 2021

7 F. PETER JAMES, ESQ.

DATE

8 **POINTS AND AUTHORITIES**

9 Appellant is requesting until February 7, 2022 to file the Fast Track
10 Statement and Appendix. The transcripts have not yet arrived, making it
11 impossible for this to be completed today. Verbatim Reporting and Transcription
12 has requested until January 8, 2022, to supply Appellant with the requested
13 transcripts. (See Transcriber's Affidavit filed December 8, 2021). If the
14 transcripts arrive by January 8, 2022, the extension would allow sufficient time
15 for Appellant to review the transcripts and file his brief.

16 Requests for relief must be made by motion absent another way prescribed
17 by rule. See NRAP 27(a)(1). Generally, a request for extension of time to file a
18 document must be made before the deadline has passed. See NRAP 31(b)(3).
19 For good cause shown, however, the Court may extend the time for filing a brief

1 as prescribed by the NRAP even after the deadline has expired. *See* NRAP
2 26(b)(1)(A).

3 For the reasons stated herein, I am requesting an additional fifty-two days
4 to file and serve the Fast Track Statement and Appendix. The extension is only
5 a month after the transcripts are to be provided by Verbatim.

6 There is no prejudice to Respondent as she has joint physical custody of
7 the children.

8 Dated this 14th day of December, 2021

9 /s/ *F. Peter James*

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