

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

Electronically Filed
Feb 28 2022 08:40 p.m.

Elizabeth A. Brown
Clerk of Supreme Court
**MOTION TO EXTEND TIME FOR
BRIEFING (Third 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.

3 6. I previously requested an extension through February 7, 2022. The basis
4 for that request was that we are still awaiting transcripts.

5 7. I then requested an extension until February 28, 2022 due to various
6 personal reasons.

7 8. My paralegal and I came in over the weekend to get the appendix filed and
8 to start working on the fast track statement.

9 9. The fast track statement is 99% done, save for some issues with citing to
10 the record.

11 10. Evidently, we were working from a draft copy of the appendix, which we
12 later changed, and which is the filed version. Almost all of the citations in
13 our notes are incorrect as to the filed appendix. It will take several hours
14 to correct the citations, which cannot be done tonight.

15 11. The fast track statement has 4,870 words and is 25 pages long. The only
16 impediment to filing the brief is the correct citations to the record. I would
17 rather ask for two more days than to file an errata to dozens upon dozens
18 of citations to the record.

1 12.I would be asking for only one day to correct this; however, I have another
2 appeal deadline tomorrow in *Singh v. Kaur*, #83613. I cannot finish both
3 in the same day and I do not wish to extend two briefs.

4 13. There is no prejudice to the other side as she has joint physical custody and
5 is enjoying the benefits of the decisions on appeal.

6 14. The current extended deadline is today by before midnight.

7 /s/ *F. Peter James*

February 28, 2022

8 F. PETER JAMES, ESQ.

DATE

9
10 **POINTS AND AUTHORITIES**

11 Appellant is requesting until February 28, 2022 to file the Fast Track
12 Statement and Appendix. As state above, Counsel for Appellant is has had to
13 take time off work for personal medical reasons and caring for family.

14 Requests for relief must be made by motion absent another way prescribed
15 by rule. *See* NRAP 27(a)(1). Generally, a request for extension of time to file a
16 document must be made before the deadline has passed. *See* NRAP 31(b)(3).
17 For good cause shown, however, the Court may extend the time for filing a brief
18 as prescribed by the NRAP even after the deadline has expired. *See* NRAP
19 26(b)(1)(A).
20

1 For the reasons stated herein, I am requesting an additional three weeks to
2 file and serve the Fast Track Statement and Appendix.

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

5 Dated this 28th day of February, 2022

6 /s/ *F. Peter James*

7 LAW OFFICES OF F. PETER JAMES

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10 Counsel for Appellant

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Frank Toti, Esq.
Counsel for Respondent

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