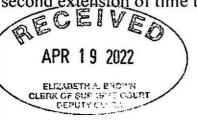
SUPREME COURT OF THE STATE OF NEVADA

KEVIN JOHN MENTABERRY)	DOCKET NO. 83878
Appellant,)	FILED
vs.)	APR 1 9 2022
STATE OF NEVADA,	į	ELIZABETH A. BROWN CLERK OF SUPREME COURT
Respondent.)	DEPUTY CLERK

APPELLANT'S MOTION FOR EXTENSION OF TIME (Second Request)

Appellant's opening brief and the appendix are currently due April 21, 2022, pursuant to a telephonic extension granted NRAP 26(b). Over the past two weeks two things have occurred that have made a second request necessary. First, counsel was unexpectedly obligated to move his entire office, including all furniture, computers, files, etc. Second, in the course of preparing the brief and appendix, appellate counsel has discovered that the file he received from trial counsel is incomplete and that the missing materials are necessary for the presentation of one of the major issues to be raised on appeal. Appellant submits that the need for these materials constitutes extreme and compelling circumstances justifying a second extension of time under NRAP 26(b).



22-12396

Appellant must obtain the missing materials from trial counsel and the Elko district court in support of one of the primary issues to be raised on appeal.

Accordingly, appellant requests a second extension of time until May 23, 2022, to enable him to secure the materials and to prepare the brief and appendix.

DATED: 4/14/22

By: Malu

JOHN E. MALONE State Bar No. 5706 1601 Fairview Dr., Ste H Carson City, Nevada 89701 (775) 301-6414 Attorney for Appellant

i.	CERTIFICATE OF SERVICE		
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3	I affirm that on <u>Axil 18代、</u> I served the foregoing Appellant's Motion for		
4	Extension of Time (Second Request) on the following parties:		
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6			
7	Elko County District Attorney by: U.S. Mail		
8	540 Court St. 2 nd Floor Electronic Elko, Nevada 89801 Personal		
9	Attorney General by: U.S. Mail		
10	100 N. Carson St. Electronic		
11	Carson City, Nevada 89701 Personal		
12	Dated this: 18 day of April , 2022		
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14	By: Maior		
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