

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KEVIN JOHN MENTABERRY

Appellant,

VS.

STATE OF NEVADA,

Respondent.

DOCKET NO. 83878-CQA

Electronically Filed
Oct 10 2022 09:12 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPELLANT’S MOTION FOR AN EXTENSION OF TIME TO FILE A
PETITION FOR REHEARING
NRAP 40

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1 Appellant Kevin Mentaberry, through his counsel of record, requests an
2 extension of 30 days to file a petition for rehearing of the court's order of
3
4 affirmance. Counsel recently moved out of his offices and into a new office and is
5 in the process of reorganizing all his files and records. In addition, counsel has a
6
7 pre-planned week-long vacation beginning October 16, 2022. If this motion is
8 granted, the petition will be filed by November 9, 2022. This request is made in
9
10 good faith and not for purposes of delay. NRAP 26(b), NRAP 40.

11 DATED this 10th day of October, 2022.

12 By: /s/ John E. Malone
13 John E. Malone
14 State Bar No. 5706
15 209 N. Pratt Ave.
16 Carson City, Nevada 89701
17 *jmalonelaw@gmail.com*
18 Attorney for Appellant
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CERTIFICATE OF SERVICE

I affirm that on October 10, 2022, I served the foregoing Appellant's Motion for an Extension of Time to File a Petition for Rehearing on the following parties:

Elko County District Attorney by: U.S. Mail _____
540 Court St. 2nd Floor Electronic x _____
Elko, Nevada 89801 Personal _____

Attorney General by: U.S. Mail _____
100 N. Carson St. Electronic x _____
Carson City, Nevada 89701 Personal _____

Dated this: 10th day of October, 2022

By: /s/ Kelly Atkinson
Kelly Atkinson