

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

2 SEAN RODNEY ORTH,

Docket No. 85229

3 Appellant,

4 vs.

5 THE STATE OF NEVADA,

6 Respondent.

Electronically Filed
Oct 25 2023 09:36 PM
Elizabeth A. Brown
Clerk of Supreme Court

7 **APPELLANT’S MOTION FOR EXTENSION OF TIME TO FILE REPLY**
8 **BRIEF**
9 **(SECOND REQUEST)**

10 Appellant, SEAN RODNEY ORTH, by and through his attorney, C.
11 BENJAMIN SCROGGINS, ESQ., of THE LAW FIRM OF C. BENJAMIN
12 SCROGGINS, CHTD., hereby moves this Honorable Court for an Order extending
13 the time to file the Reply Brief in the above-captioned case. This is the second
14 request for an extension; the first having been a telephonic request that was granted.
15 This Motion is made and based upon the pleadings and papers on file in this matter.

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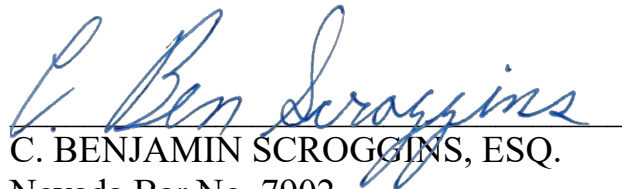
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1 the following Memorandum of Points and Authorities, and upon any other
2 argument or evidence the Court may request in considering the Motion.

3 MADE this 25th day of October, 2023.

4 **THE LAW FIRM OF**
5 **C. BENJAMIN SCROGGINS, CHTD.**

6 
7 C. BENJAMIN SCROGGINS, ESQ.

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11 *Attorney for Appellant,*
12 *SEAN RODNEY ORTH*

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

14 The due date for Appellant's Reply Brief is October 25, 2023. Undersigned
15 counsel obtained one prior extension on October 11, 2023. Undersigned counsel
16 has been working to prepare the Reply Brief, but due to deadlines and unexpected
17 developments in other cases has been unable to complete the Reply Brief in the
18 time requested. In particular, undersigned counsel has been preparing for a jury
19 trial set to begin on November 6, 2023, in case of State v. Hallman, Eighth Judicial
20 District Court case number C-22-370258-1. The deadlines for pretrial motions and
21 other pretrial preparation in that case have required undersigned counsel to divert

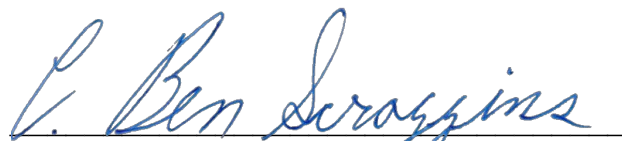
1 his attention from this case.

2 Undersigned counsel submits that a short extension, no more than 30 days,
3 will be sufficient to deal with his deadlines in other cases while finalizing the
4 Reply Brief in this case. Undersigned counsel therefore requests an extension of
5 30 days to file and serve the Reply Brief in this case. Undersigned counsel will
6 endeavor to file and serve it prior to the requested extension date, but wants to
7 make sure that sufficient time is given.

8 NRAP 26(b)(1)(A) provides that this Court may extend the time to perform
9 any act for good cause. Undersigned counsel submits that the need to adequately
10 prepare for jury trials and insure that the Reply Brief in this case is constitutionally
11 adequate is good cause for the short extension requested.

12 MADE this th day of October, 2023.

13 **THE LAW FIRM OF**
14 **C. BENJAMIN SCROGGINS, CHTD.**

15 

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Attorney for Appellant,

SEAN RODNEY ORTH

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CERTIFIED this 25th day of October, 2023.

By: 
C. BENJAMIN SCROGGINS, ESQ.

By:

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