

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
Nov 28 2023 01:03 PM
Elizabeth A. Brown
Clerk of Supreme Court

7 **APPELLANT’S MOTION FOR EXTENSION OF TIME TO FILE REPLY**
8 **BRIEF**
9 **(THIRD 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 third
14 request for an extension; the first having been a telephonic request that was
15 granted. This Motion is made and based upon the pleadings and papers on file in

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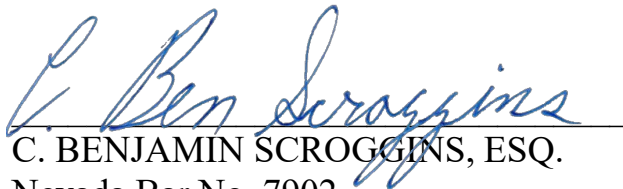
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1 this matter, the following Memorandum of Points and Authorities, and upon any
2 other argument or evidence the Court may request in considering the Motion.

3 MADE this 28th day of November, 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 was November 22, 2023.

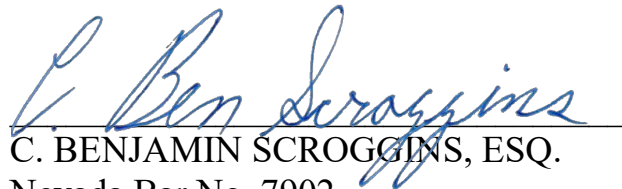
15 Undersigned counsel filed the Reply Brief at approximately 12:03 a.m. on
16 November 23, 2023. A Rejection Notice was filed on November 27, 2023, due to
17 the Reply Brief having been (3) three minutes after the midnight hour. Appellant
18 seeks the extension for purposes of resubmitting Appellant's Reply Brief
19 appropriately.

20 NRAP 26(b)(1)(A) provides that this Court may extend the time to perform
21 any act for good cause. Undersigned counsel made efforts to file the Reply Brief

1 prior to midnight, but due to computer issues was not able to successfully submit it
2 until just after midnight.

3 MADE this 28th day of November, 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*


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CERTIFIED this 28th day of November, 2023.

By: 
KELLY JARVI, *Legal Assistant to*
C. Benjamin Scroggins, Esq.

By:

KELLY JARVI, *Legal Assistant to
C. Benjamin Scroggins, Esq.*