

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN ELAM,

Appellant,

v.

STATE OF NEVADA,

Respondent.

Docket No. 85421

Electronically Filed
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Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)

COMES NOW, CALVIN ELAM, by and through his counsel of record, MONIQUE MCNEILL, ESQ., and hereby moves this Court for an enlargement of time of SIXTY (60) days from January 26, 2023 to file the Opening Brief. This is the first request. Counsel moves to set the opening brief to be due March 27, 2023. This motion is based on the following memorandum and all papers and pleadings on file herein.

DATED this 10th day of January, 2023.

By:

/s/Monique McNeill
Monique McNeill,
Nevada Bar No. 9862
P.O. Box 2451
Las Vegas, Nevada 89125

MEMORANDUM

I, MONIQUE MCNEILL, ESQ., am the attorney in the above captioned case. Pursuant to NRAP31(b)(3)(B), this Court may grant a first motion for extension of time for filing a brief upon a showing of good cause. This is Appellant's first request for an extension of time.

Appellant's Opening Brief is due January 26, 2023. The transcripts have not been completed in this case. Counsel emailed the court recorder listed on the request and the email was returned, leading counsel to believe that recorder may no longer work for the court. Counsel has emailed the supervisor to find out if that is the case, and to get the transcripts completed.

Further, counsel is set to start a death penalty trial on January 29, 2023, and anticipates being in trial the majority of February 2023. Counsel therefore would not be able to work on this appeal during the month of February, 2023. Counsel is requesting an additional sixty days.

This Motion is made in good faith and not for the purposes of undue delay. I declare under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

DATED this 10th day of January, 2023.

By:

/s/Monique McNeill
Monique McNeill,
Nevada Bar No. 9862

CERTIFICATE OF SERVICE

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically foregoing document shall be made in accordance with the Master Service List as follows: AARON FORD, ESQ ALEXANDER G. CHEN, ESQ.

By: /S/ Monique McNeill_____