

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

2                                   \_\_\_\_\_

3                   TULY LEPOLO,

4                                   Appellant,

5                                   vs.

6                   STATE OF NEVADA,

7                                   Respondent,

8

9

10

11

Supreme Court Electronically Filed  
Apr 24 2023 11:35 PM  
District Court Case No. C-20-345011-1  
Elizabeth A. Brown  
Clerk of Supreme Court

12                                   **MOTION FOR ENLARGEMENT OF TIME**  
13                                   **(First Request)**

14                   COMES NOW Appellant, TULY LEPOLO, by and through his counsel in this  
15                   matter, JEAN J. SCHWARTZER, ESQ., and moves this Court for the first time for an  
16                   enlargement of sixty (60) days from April 24, 2023 to file Appellant's Opening Brief,  
17                   making said brief due June 23, 2023. This motion is based upon the following  
18                   memorandum and all papers and pleadings on file herein.

19                   Dated this 24<sup>th</sup> day of April, 2023.

20                                   Respectfully submitted,

21

22                                   /s/ Jean J. Schwartzer  
23                                   JEAN J. SCHWARTZER, ESQ.  
24                                   Law Office of Jean J. Schwartzer  
25                                   411 E. Bonneville Avenue Suite360  
26                                   Las Vegas, NV 89101  
27                                   Phone: 702-979-9941  
28                                   jean.schwartzter@gmail.com  
                                  Counsel for Appellant

1 **MEMORANDUM**

2 I, JEAN J. SCHWARTZER, ESQ., am the attorney in the above-captioned case.  
3 Appellant's Opening Brief is due on April 24, 2023. Pursuant to NRAP 31(b)(3)(B),  
4 this Court grant a first motion for extension of time for filing an Opening Brief upon a  
5 showing of good cause. This is Appellant's first request for an extension of time to file  
6 his Opening Brief.

7 With respect to good cause, counsel for appellant was unable to work for half of  
8 March and a majority of April due to her children being out of school for Spring  
9 Break and counsel subsequently being sick for almost five weeks with antibiotic  
10 resistant strep throat. Therefore, Appellant requests sixty (60) additional days to file  
11 his Opening Brief making said brief due June 23, 2023.

12 This Motion is made in good faith and not for the purposes of undue delay.

13 I declare under penalty of perjury the factual representations set forth in the  
14 foregoing memorandum are true and correct.

15 Dated this 24<sup>th</sup> day of April, 2023.

16  
17 Respectfully submitted,

18 /s/ Jean J. Schwartzer  
19 JEAN J. SCHWARTZER, ESQ.  
20 Law Office of Jean J. Schwartzer  
21 411 E. Bonneville Avenue Suite 360  
22 Las Vegas, NV 89101  
23 Phone: 702-979-9941  
24 jean.schwartzter@gmail.com  
25 Counsel for Appellant  
26  
27  
28

1  
2  
3                   **CERTIFICATE OF SERVICE**

4           I HEREBY CERTIFY AND AFFIRM that this document was filed  
5 electronically with the Nevada Supreme Court on April 24<sup>th</sup>, 2023. Electronic Service  
6 of the foregoing document shall be made in accordance with the Master Service List  
as follows:

7  
8                               AARON FORD, ESQ.  
Nevada Attorney General

9                               ALEXANDER G. CHEN, ESQ.  
10 Chief Deputy District Attorney

11  
12                               /s/ Jean J. Schwartz  
13 JEAN J. SCHWARTZER, ESQ.  
14 Law Office of Jean J. Schwartz  
411 E. Bonneville Avenue Suite 360  
15 Las Vegas, NV 89101  
Phone: 702-979-9941  
16 jean.schwartz@gmail.com  
Counsel for Appellant  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28