

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

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3                   TULY LEPOLO,

4                                   Appellant,

5                                   vs.

6                   STATE OF NEVADA,

7                                   Respondent,

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Supreme Court Electronically Filed  
Jul 07 2023 10:43 PM  
District Court Case No. C-20-345011-1  
Elizabeth A. Brown  
Clerk of Supreme Court

12                                   **MOTION FOR ENLARGEMENT OF TIME**  
13                                   **(Third 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 third time for  
16                   an enlargement of twenty-one (21) days from July 7, 2023 to file Appellant's Opening  
17                   Brief, making said brief due July 28, 2023. This motion is based upon the following  
18                   memorandum and all papers and pleadings on file herein.

19                   Dated this 7<sup>th</sup> day of July, 2023.

20                                   Respectfully submitted,

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22                                   /s/ Jean J. Schwartzer  
23                                   JEAN J. SCHWARTZER, ESQ.  
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                                  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 July 7, 2023. Pursuant to NRAP 31(b)(3)(B), this  
4 Court may grant a third motion for extension of time for filing an Opening Brief upon  
5 a showing of extreme need. This is Appellant's third request for an extension of time  
6 to file his Opening Brief.

7 With respect to extreme need, counsel attempted to complete the Opening Brief  
8 this past week while out of the jurisdiction. However, counsel's laptop has  
9 malfunctioned. It will not charge while it is in use and the battery is taking an  
10 inordinate amount of time to charge when the computer is turned off. Counsel returns  
11 to the jurisdiction tomorrow. Counsel then has to fly to Texas on Monday with one of  
12 her children to clear up an unexpected issue with their passports. She will return on  
13 Tuesday and then leave the country on Wednesday until July 21, 2023 with both of  
14 her children.

15 Therefore, Appellant requests twenty-one (21) additional days to file his  
16 Opening Brief making said brief due July 28, 2023.

17 Counsel apologizes for these unintentional delays. She is doing the best she can  
18 under the circumstances and the brief will be filed by July 28<sup>th</sup> if this Court will grant  
19 the instant Motion.

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

23 Dated this 7<sup>th</sup> day of July, 2023.

24 Respectfully submitted,

25 /s/ Jean J. Schwartzer  
26 JEAN J. SCHWARTZER, ESQ.  
27 Law Office of Jean J. Schwartzer  
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