

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUSTIN D. PORTER,
Petitioner,

v.

THE STATE OF NEVADA,
Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 85782

MOTION FOR ENLARGEMENT OF TIME

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JOHN AFSHAR, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This Motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 2nd day of November, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ John Afshar
JOHN AFSHAR
Chief Deputy District Attorney
Nevada Bar #014408
Office of the Clark County District Attorney

MEMORANDUM

I, JOHN AFSHAR, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due November 6, 2023. This is a direct appeal from a judgment of conviction following a jury trial. This Court may extend time to file a Respondent's Answering Brief upon a showing of good cause. NRAP 31(b)(3).

The State herein makes its first request for an enlargement of time. Appellant's Opening Brief was filed October 5, 2023, along with an appendix spanning 11 volumes and nearly 3,000 pages. Appellant's Opening Brief requires the State to review the transcripts of multiple hearings spanning over twenty (20) years and two full trials pertaining to Appellant's case. Therefore, the State respectfully requires more time to fully review the extensive district court records and adequately brief and prepare sufficient arguments for the Answering Brief.

Given the length of the record, additional time is required to review the record and to adequately respond to the issues raised. The State herein makes its first request for an enlargement of time to review the record, related case law, and properly brief the issues for this Court and have the Answering Brief sent through the internal review process.

Due to the above-described circumstances, Respondent respectfully requests

the Court's permission of time of sixty (60) days to file its Answering Brief, making the State's response due to be filed on January 5, 2023. This motion is made in good faith and not for the purposes of undue delay.

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

Dated this 2nd day of November, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ John Afshar*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on November 2, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

THOMAS A. ERICSSON, ESQ.
Counsel for Appellant

JOHN AFSHAR
Chief Deputy District Attorney

BY */s/ E. Davis*

Employee, District Attorney's Office

JA/Kassandra Acosta/ed