

IN THE SUPREME COURT OF THE STATE OF NEVADA

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D'VAUGHN KEITHAN KING,

Appellant,

v.

No. 85838

THE STATE OF NEVADA,

Respondent.

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Electronically Filed  
May 24 2023 01:45 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

**APPELLANT'S UNOPPOSED MOTION**

**FOR EXTENSION OF TIME**

COMES NOW, Appellant D'VAUGHN KEITHAN KING, by and through his counsel of record, THERESA RISTENPART, ESQ., and hereby requests this Court enter an Order extending the due date of Mr. King's Opening Brief by forty-five (45) days, from May 26, 2023 to July 10, 2023.

The extension is necessary for the following reasons:

1. On January 20, 2023, Theresa Ristenpart, Ristenpart Law, LLC, was appointed by the Second Judicial District to take over the Nevada Supreme Court appeal from the lower court's denial of Mr. King's petition for writ of habeas corpus.
2. Mr. King is currently incarcerated in High Desert State Prison.

3. There have been ongoing issues with Mr. King not receiving legal mail at the prison. Counsel's last two letters to Mr. King were never received by Mr. King.
4. Counsel has been able to communicate with Mr. King telephonically. On May 24, 2023, Mr. King informed Counsel that he still has not received previously mailed legal mail. Counsel needs Mr. King to review those documents and letters she has sent before filing.
5. Counsel needs additional time to ensure Mr. King has reviewed all documents and been able to confer with Counsel to write an informed opening brief with the input of client.
6. Washoe County Deputy District Attorney Marilee Cate has informed Counsel that she has no objection to a forty-five (45) day continuance.
7. This will be Counsel's first extension request.

For these reasons, we respectfully request that the Court extend the due date of Mr. King's Opening Brief by forty-five (45) days, from May 26, 2023 to July 10, 2023.

FURTHERMORE, pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.

DATED this 24<sup>th</sup> day of May, 2023.

By /s/ Theresa Ristenpart  
Theresa Ristenpart, Esq.  
Attorney for Appellant Mr. D'Vaughn King

## **CERTIFICATE OF SERVICE**

I hereby certify that I electronically submitted the foregoing, Appellant D’Vaughn King’s Unopposed Motion for Extension of Time, with the Clerk of the Court for the Nevada Supreme Court by using the EFlex system on May 24, 2023.

Participants in the case who are registered EFlex users will be served by the appellate Eflex system.

I further certify that some of the participants in the case are not registered Eflex users. I have mailed the foregoing document to the following Eflex participants:

Mr. D’Vaughn King  
#1115593  
High Desert State Prison  
22010 Cold Creek Road  
Indian Springs, Nevada 89070

/s/ Naomi Kandarian  
Naomi Kandarian, Legal Receptionist