

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

2 JAVAR KETCHUM,

Docket No. 87012

3 Appellant,

4 vs.

5 THE STATE OF NEVADA,

6 Respondent.

Electronically Filed
Jan 22 2024 02:53 PM
Elizabeth A. Brown
Clerk of Supreme Court

7 **APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE**
8 **OPENING BRIEF AND APPENDIX**
9 **(SECOND REQUEST)**

10 Appellant, JAVAR KETCHUM, by and through his attorney, C.

11 BENJAMIN SCROGGINS, ESQ., of THE LAW FIRM OF C. BENJAMIN

12 SCROGGINS, CHTD., hereby moves this Honorable Court for an Order extending

13 the time to file the Opening Brief and Appendix in the above-captioned case. This

14 Motion is made and based upon the pleadings and papers on file in this matter, the

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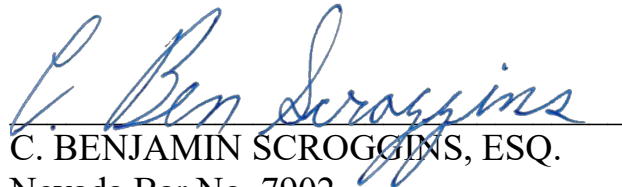
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1 following Memorandum of Points and Authorities, and upon any other argument or
2 evidence the Court may request in considering the Motion.

3 MADE this 22nd day of January, 2024.

4 **THE LAW FIRM OF**
5 **C. BENJAMIN SCROGGINS, CHTD.**

6 
7 C. BENJAMIN SCROGGINS, ESQ.

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11 *Attorney for Appellant,*
12 *JAVAR KETCHUM*

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

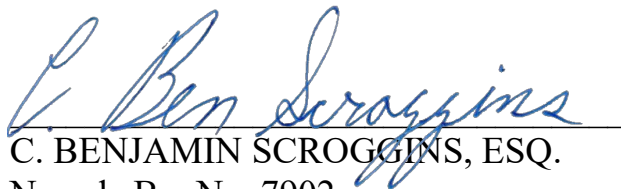
14 The due date for Appellant, JAVAR KETCHUM's (hereinafter "MR.
15 KETCHUM"), Opening Brief and Appendix was January 19, 2024. Undersigned
16 counsel encountered some difficulties with his computer and had issues with
17 internet service on the date the Opening Brief was due. As a result, the Opening
18 Brief was not file stamped until January 20, 2024, at 12:43 a.m.

19 NRAP 26(b)(1)(A) provides that this Court may extend the time to perform
20 any act for good cause. Good cause exists to accept the Brief, although it was filed
21 shortly after midnight, because the cause of the delay was out of the hands of MR.

1 KETCHUM. Undersigned counsel made every effort to file the Brief in a timely
2 manner, but due to technical issues was unable to meet the midnight deadline.
3 Only one extension has previously been requested in this case and the extension
4 now requested is not for additional time; it is for the filing of a Brief that has
5 already been submitted.

6 MADE this 22nd day of January, 2024.

7 **THE LAW FIRM OF**
8 **C. BENJAMIN SCROGGINS, CHTD.**

9 
10 C. BENJAMIN SCROGGINS, ESQ.

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14 *Attorney for Appellant,*
15 *JAVAR KETCHUM*

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CERTIFIED this 22nd day of January, 2024.

By: C. Benjamin Scroggins
C. Benjamin Scroggins, Esq.