

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KIM BLANDINO,

Appellant,

vs.

STATE OF NEVADA,

Appellee.

COA No.

District Court Case No.

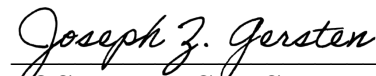
Electronically Filed
Jan 05 2024 10:00 AM
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR ENLARGEMENT OF TIME

COMES NOW Appellant KIM BLANDINO, by JOSEPH Z. GERSTEN, ESQ. of THE GERSTEN LAW FIRM PLLC, and pursuant to NRAP 40(a)(1), moves this Court for an enlargement of time within which to file the Petition for Rehearing. This motion is based on the following memorandum and declaration of counsel and all papers and pleadings on file herein.

Dated this 5th day of January 2024.

Respectfully submitted,



JOSEPH Z. GERSTEN

NV Bar #13876

The Gersten Law Firm PLLC

9680 W Tropicana Avenue #146

Las Vegas, NV 89147

702-857-8777

joe@thegerstenlawfirm.com

MEMORANDUM

I, JOSPEH Z. GERSTEN, am a duly licensed attorney in the State of Nevada and am employed by The Gersten Law Firm PLLC. Appellant's Counsel is requesting a short thirty (30) day extension of time in which to file his Petition for Rehearing under NRAP 40. Appellant's Petition is currently due January 8, 2024. This is the Appellant's First request for this specific relief.

This is an Appeal from a jury verdict in the Eight Judicial District Court, Department XII, the Honorable Leavitt, J. presiding.

This Court's decision was filed December 20, 2024, starting the eighteen (18) day countdown for filing. Fortunately, or unfortunately, this counsel was on a much-needed vacation for most of that time. This counsel has simply not had enough time to meet and confer with his arguably difficult to communicate with client. Again, this counsel has no compunction telling this Court that the litigation of this file based on all prior motions for extension has been difficult to say the least, and this counsel needs a more time to try and confer in a meaningful way with his client.

As this Court is aware, Counsel has previously filed a Motion to Withdraw from representing the Appellant / Defendant in this matter citing an irreparable conflict. This was denied. Subsequently, this Counsel filed a similar motion in the District Court for similar, but even more pronounced conflicts with the Appellant / Defendant. This was denied by Leavitt, J. This has led to some difficulties in effective communication.

As a result, this Counsel simply needs more time to prepare Appellant / Defendant's Petition for Rehearing. Again, this Counsel implores this Court to grant this enlargement so as to prepare said documents in a meaningful way.

Due to the above-described circumstances, the Counsel respectfully requests an additional THIRTY (30) days, within which to file his Petition for Rehearing.

Counsel has not had the opportunity to contact the State regarding this request.

This motion is made in good faith and not for purposes of undue delay. The Appellant also notes that the State will not be prejudiced by the extension, as it was a ruling against the Appellant that is the subject of this appeal.

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

Dated this 5th day of January 2024.


JOSEPH Z. GERSTEN
NV Bar #13876
The Gersten Law Firm PLLC
9680 W Tropicana Avenue #146
Las Vegas, NV 89147
702-857-8777
joe@thegerstenlawfirm.com

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on the 5th day of January 2024. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

STEVEN B. WOLFSON
c/o Alex Chen
District Attorney Clark County
200 Lewis Street, 3rd Floor
Las Vegas, NV 89101

AARON FORD
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701
775-684-1265

BY Joseph Z. Gersten
Employee of The Gersten Law Firm PLLC