

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

2
3 ROCHELLE MEZZANO,

4 Appellant,

5 vs.

6 JOHN TOWNLEY,

7 Respondent.

No.: 87863-COA Electronically Filed
Feb 14 2024 03:26 PM
Elizabeth A. Brown
Clerk of Supreme Court
**MOTION FOR LEAVE TO
EXTEND TIME TO FILE
TRANSCRIPT ESTIMATE (Second
Request)**

8 Appellant, Rochelle Mezzano, by and through her counsel, F. Peter James,
9 Esq., hereby moves this Honorable Court for leave to extend time to file the
10 transcript request.

11 **POINTS AND AUTHORITIES**

12 Appellant hereby moves this Honorable Court for leave to extend time to
13 file the transcript request.

14 Requests for relief must be made by motion absent another way prescribed
15 by rule. *See* NRAP 27(a)(1). Motions to extend briefing are not favored. *See*
16 NRAP 31(b)(3). Generally, a request for an extension of time to file a document
17 must be made before the deadline has passed. *See* NRAP 31(b)(3). For good
18 cause shown, however, the Court may extend the time for filing a brief even after
19 the deadline has passed. *See* NRAP 26(b)(1)(A).

1 Here, the deadline for filing the transcript request is today, February 14,
2 2024. As such, the request is timely. Appellant requests that the Court extend
3 the time to file the transcript request as Appellant has good cause.

4 The basis for this request is that counsel has not yet received an order from
5 the district court releasing transcripts that have previously been prepared and
6 filed with the district court. This order was requested on an *ex parte* basis, but
7 the motion has yet to be ruled on. Appellant cannot proceed with ordering
8 transcripts until the district court resolves this motion. Counsel needs to know
9 what transcripts have already been produced before ordering transcripts for the
10 appeal. Appellant is now waiting for a decision to be rendered.

11 As mentioned in the initial request, Appellant will still need to obtain
12 copies of the hearing videos from any hearings that need to be transcribed. From
13 there, Appellant will have to provide these hearing videos to Litigation Services
14 to get a cost estimate for the transcripts and make payment. This process will
15 take at least a couple of days and cannot be initiated until after the district court
16 rules on the release of filed transcripts.

17 As such, Appellant is requesting an additional two weeks to file the
18 transcript request. The new deadline will be February 28, 2024. This should
19 provide sufficient time for the district court to rule on Appellant's *ex parte*
20

1 motion, for Appellant to review what transcripts have been produced, and for
2 Appellant to request outstanding transcripts and remit payment.

3 **CONCLUSION**

4 Based on the foregoing, Appellant is respectfully requesting until February
5 28, 2024, to file the transcript request.

6 Dated this 14th day of February, 2024

7 /s/ *F. Peter James*

8

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11 Counsel for Appellant

CERTIFICATE OF SERVICE

The following are listed on the Master Service List and are served via the Court's electronic filing and service system (eFlex):

Alexander Morey, Esq.
Counsel for Respondent