

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

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3           ROCHELLE MEZZANO,

4                   Appellant,

5           vs.

6           JOHN TOWNLEY,

7                   Respondent.

No.: 87863-COA   Electronically Filed  
Feb 28 2024 04:29 PM  
Elizabeth A. Brown  
Clerk of Supreme Court  
**MOTION FOR LEAVE TO  
EXTEND TIME TO FILE  
TRANSCRIPT ESTIMATE (Third  
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 28,  
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 the district court did not rule on the *ex*  
5 *parte* Motion for an Order Releasing Copies of Transcripts to Counsel until  
6 February 27, 2024. Appellant anticipated a much faster turnaround on the *ex*  
7 *parte* request. The order related to the *ex parte* motion informed Appellant that  
8 the document filed on November 7, 2023, under the title “Transcript” was not an  
9 official transcript of the proceeding. The document was a copy of text from the  
10 Zoom closed captioning feature.

11 Now that Appellant has learned that the “transcript” is not a document that  
12 is needed on appeal, Appellant has been able to start the process of requesting  
13 hearing videos that need to be transcribed for appeal. Once the hearing videos  
14 are received, they will be provided to Litigation Services and a cost estimate will  
15 be provided.

16 It is unclear how long this process will take. In the last appeal, one  
17 transcript was requested, and it took a few days to get everything done. There  
18 are many more hearing videos that will need to be downloaded onto CDs for  
19 transcription, and this could result in the request taking more time. Moreover,  
20

1 the record request form asks for parties to allow 7-10 days for the request to be  
2 processed once it is submitted.

3 As such, Appellant is requesting an additional two weeks to file the  
4 transcript request. The new deadline will be March 13, 2024. This gives the  
5 district court ample time to produce CDs with the hearing videos that need to be  
6 transcribed, and for the disk to be brought to and reviewed by transcription  
7 services.

8 **CONCLUSION**

9 Based on the foregoing, Appellant is respectfully requesting until March  
10 13, 2024, to file the transcript request.

11 Dated this 28<sup>th</sup> day of February, 2024

12 /s/ *F. Peter James*

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Alexander Morey, Esq.  
Counsel for Respondent