

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA,
Appellant

vs.

JAMES WALTER DEGRAFFENREID III,
DURWARD JAMES HINDLE III, JESSE
REED LAW, MICHAEL JAMES
MCDONALD, SHAWN MICHAEL
MEEHAN, AND EILEEN A. RICE,
Respondents.

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CASE NO.: 89064

Dist. Ct. No.:
C-23-379122-1
C-23-379122-2
C-23-379122-3
C-23-379122-4
C-23-379122-5
C-23-379122-6

**RESPONDENTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE ANSWERING BRIEF (First Request)**

Respondents JAMES WALTER DEGRAFFENREID III, DURWARD
JAMES HINDLE III, JESSE REED LAW, MICHAEL JAMES MCDONALD,
SHAWN MICHAEL MEEHAN, and EILEEN A. RICE respectfully move, pursuant
to NRAP 26(b)(1)(A), to extend the deadline to file the Answering Brief in this

matter for a period of seven (7) days, from October 4, 2024, to October 11, 2024.¹

This motion for extension of time is supported by good cause under NRAP 26(b)(1)(A), NRAP 31(b)(3)(B), and the Court’s September 12, 2024, Order², as set forth in the attached Declaration of Counsel.

Good cause exists for seeking the instant extension.

To help expedite this appeal and advance the goal underlining the Court’s decision granting, in part, the State’s Motion to Expedite, Respondents are endeavoring to submit one consolidated brief pursuant to NRAP 28(i).³ This will be more efficient for both the Court and the State.

However, although it ultimately saves time and promotes efficiency, coordinating one Answering Brief between six (6) parties takes more time and work up front than it would take one respondent to prepare his or her own brief. Complicating this effort to streamline is the varying scheduling conflicts of counsel. For example, Mr. Wright had a number of recent deadlines for separate federal and California state tax investigations for two separate clients that were under deadlines, and was unavailable for multiple days during the last two weeks of September for out

¹ Even if this extension is granted in full, Respondents will file a joint Answering Brief as soon as possible.

² Even though the Court denied Respondents’ request for a streamlined extension, the instant extension would still be significantly shorter (23 days shorter) than if the Court had granted the streamlined request. *Compare* NRAP 31(b)(3)(B) (noting that extensions beyond length of streamlined extension are “not favored”).

³ Rather than submitting six (6) separate briefs,

of state medical issues. Mr. Kelesis has had medical issue that have impacted his availability. had to next week to be evaluated for the total shoulder replacement of my right one. Ms. Levy has two upcoming deadlines in murder cases before the Eighth Judicial District Court. Mr. Hardy—as Nevada election counsel for the Nevada GOP / RNC—has been required to devote substantial time and resources to staffing and handling of all issues raised by candidates, party representatives and individual voters regarding the election, which is only five weeks away.

Coordinating on a draft this week has been particularly challenging due to various conflicts for counsel representing Respondents, including office absences and conflicts for the Jewish holidays (Rosh Hashanah falls on October 2 – October 4, 2024).

Due to her appellate experience and role drafting briefs in this matter, Ms. McLetchie, working with support from her office, is the primary researcher and drafter of the Answering Brief and her office is also taking on the task of finalizing the brief and compiling the tables, etc. For assistance, Ms. McLetchie largely depends on the help of Mr. Wolpert, another attorney at her firm with experience in drafting and preparing appellate briefs⁴ Ms. McLetchie has been working diligently on this brief, including over weekends and in the evenings. However, in addition to the fact that Ms. McLetchie and Mr. Wolpert had to recently travel across country for a

⁴ Mr. Wolpert and Ms. McLetchie are married.

celebration of life for Ms. McLetchie’s mother, Mr. Wolpert is out of town and the office with his family for part of this week due to the Jewish holiday.⁵

Further, Ms. Chattah has also been out of the office for the Jewish holiday, and her review of the final brief is necessary before submission.

Finally, on October 3, 2024, Ms. McLetchie communicated with Attorney General Aaron Ford, who indicated that his office would not oppose a motion for a one-week extension. The undersigned appreciate Attorney General Ford’s professional courtesy.

For these reasons, Respondents respectfully request a one-week extension.

DATED this 4th day of October, 2024.

/s/ Richard A. Wright
Richard A. Wright
WRIGHT MARSH, LEVY
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Counsel for Michael James McDonald

/s/ Monti Jordana Levy
Monti Jordana Levy
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Counsel for Eileen A. Rice

/s/ Margaret A. McLetchie
Margaret A. McLetchie
MCLETCHIE LAW

⁵ Ms. McLetchie did not accompany Mr. Wolpert so she could focus on the Answering Brief.

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/s/ Brian R. Hardy

Brian R. Hardy

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/s/ Sigal Chattah

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Counsel for Shawn Michael Meehan

/s/ George P. Kelesis

George P. Kelesis

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Counsel for James Walter Degraffenreid, III

**DECLARATION OF MARGARET A. MCLETCHIE, ESQ. IN SUPPORT
OF MOTION FOR EXTENSION**

I, MARGARET A. MCLETCHIE, ESQ., declare as follows:

1. I am duly licensed to practice law in the state of Nevada and am managing partner of McLetchie Law Group, PLLC (“McLetchie Law”). McLetchie Law is counsel for Respondent Jesse Reed Law in the above-captioned appeal.

2. Respondents now respectfully request to extend the deadline to file an Answering Brief. Specifically, Respondents request an extension of seven (7) days, up to and including **October 11, 2024**.

3. Good cause exists for the following reasons:

- a. This is a joint Answering Brief, which is more efficient for the Court and the State, but requires extra coordination between the six defendants’ co-counsel.
- b. Co-counsel and I have varying scheduling conflicts with other legal matters which, despite diligent effort, have prevented sufficient briefing of the issues and arguments.
- c. The Jewish holiday Rosh Hashanah takes place between October 2, 2024, and October 4, 2024, requiring co-counsel to travel and/or take time off to observe the holiday.
- d. Mr. Wright has informed me he had a number of recent deadlines for separate federal and California state tax investigations for two separate

clients that were under deadlines, and was unavailable for multiple days during the last two weeks of September for out of state medical issues. Mr. Kelesis has informed me he had medical issue that have impacted his availability. had to next week to be evaluated for the total shoulder replacement of my right one. Ms. Levy has informed me she has two upcoming deadlines in murder cases before the Eighth Judicial District Court. Mr. Hardy—as Nevada election counsel for the Nevada GOP / RNC—has been required to devote substantial time and resources to staffing and handling of all issues raised by candidates, party representatives and individual voters regarding the election, which is only five weeks away.

4. Despite the diligent work of myself and co-counsel, I request this extension so that Respondents’ counsel will have sufficient time to finish researching and drafting the Answering Brief, and submit one single brief.

5. On October 3, 2024, the State has informed me it does not oppose a motion for a one-week extension.

6. This request is made in good faith and not for purposes of delay.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this 4th day of October, 2024.

/s/ Margaret A. McLetchie
Margaret A. McLetchie, Nevada Bar No. 10931

CERTIFICATE OF SERVICE

I hereby certify that the foregoing [CORRECTED] RESPONDENTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF (First Request) was filed electronically with the Nevada Supreme Court on the 8th day of October, 2024. Electronic service of the foregoing document shall be made in accordance with the Master Service List.

/s/ Leo S. Wolpert
Employee of McLetchie Law