

1 **CAL J. POTTER III**

Nevada Bar No. 001988

2 **POTTER LAW OFFICES**

1125 Shadow Lane

3 Las Vegas, Nevada 89102

Telephone (702) 385-1954

4 **ROBERT D. NEWELL**

5 Oregon State Bar No. 79091

DAVIS WRIGHT TREMAINE LLP

6 1300 S.W. Fifth Avenue, Suite 2300

Portland, Oregon 97201

7 Telephone (503) 241-2300

8 Attorneys for Petitioner

9 Dale Edward Flanagan

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

12 * * *

13 **DALE EDWARD FLANAGAN,**

14 **Appellant,**

15 **v.**

16 **THE STATE OF NEVADA, and E.K.**
17 **McDANIEL, Warden, Ely State Prison,**


18 **Respondents.**

Case No. 40232

Death Penalty Case

FILED

JUL 30 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

20 **APPELLANT FLANAGAN'S MOTION TO POSTPONE ORAL ARGUMENT**

21 On July 17, 2007, counsel for Appellant Dale Edward Flanagan received this
22 Court's "Notice of Oral Argument Setting" setting oral argument in this matter for September 4,
23 2007.

24 Lead counsel for Appellant, Robert Newell, who will be arguing this matter, is
25 scheduled to begin trial in the case of AAI vs. ProDX, et al., Multnomah County, Oregon Circuit

26 Court Case No. 0606-05726 on August 27, 2007. That date is a date certain and will not be

1 moved. It is scheduled to last for at least two weeks and there appears to be no chance that the
2 case will settle.

3 Therefore, Appellant respectfully requests that oral argument in this matter be
4 rescheduled to September 17, 2007 or later.

5 For the Court's convenience in rescheduling, counsel is obligated to attend
6 Oregon State Bar Board of Governors meetings on September 27 and 28, 2007, and has a
7 two-day trial set for October 3, 2007, In the Matter of the Arbitration Between Sunwest
8 Management, Inc., et al. -and- Tracy "Jerry" Flentje, and a two-week trial scheduled for
9 November 27, 2007, HLHZ Investments, LLC vs. Plaid Pantries, Inc., et al., USDC (Oregon)
10 Case No. CV 06-797-KI (Lead Case).

11 DATED this 27th day of July, 2007.

12 **POTTER LAW OFFICES**

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15 CAL J. POTTER, III, ESQ.

16 Nevada Bar No. 001988
17 Potter Law Offices
18 11125 Shadow Lane
19 Las Vegas, Nevada 89102
20 Tel: (702) 385-1954

21 **DAVIS WRIGHT TREMAINE LLP**

22 ROBERT D. NEWELL
23 Oregon State Bar No. 79091
24 1300 SW Fifth Avenue, Suite 2300
25 Portland, Oregon 97201
26 Tel: (503) 778-5234

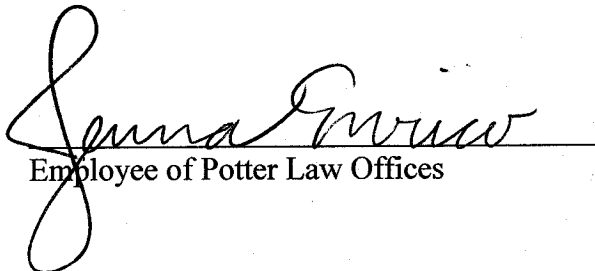
Attorneys for Appellant Dale Flanagan

1 **CERTIFICATE OF MAILING**

2 Pursuant to NRCP 5(b), I certify that I am an employee of POTTER LAW
3 OFFICES, and that, on this date, I deposited for mailing at Las Vegas, Nevada, a true copy of
4 APPELLANT FLANAGAN'S MOTION TO POSTPONE ORAL ARGUMENT addressed to:

5 Steven S. Owens
6 Nevada Bar #004352
7 Chief Deputy District Attorney
8 Office of the Clark County District Attorney
9 200 Lewis Avenue
10 P.O. Box 552212
11 Las Vegas, NV 89155-2212

12 Dated this 27th day of July, 2007.

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14 Employee of Potter Law Offices
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