

ORIGINAL

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FILED

NOV 04 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

DALE EDWARD FLANAGAN,

Appellant,

CASE NO. 40232

vs.

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

Respondents.

**APPELLANT'S MOTION FOR EXTENSION
OF TIME TO FILE REQUEST FOR TRANSCRIPTS**

Petitioner Dale Edward Flanagan respectfully moves this Court for an extension of time in which to file the Requests for Transcripts in this matter. The Requests for Transcripts is currently due on Monday, November 4, 2002. Petitioner respectfully requests an extension to and including Friday, January 3, 2003.

RECEIVED

NOV 04 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

02-18928

1 This is Petitioner's second request for extension and this request for extension is made
2 and based upon the same reason as the first extension: that Petitioner has, as yet, been unable to
3 review the entire record in the District Court file in order to determine which transcripts are
4 needed for this appeal. Although Petitioner has received two full boxes of Appellant's file, one
5 volume remains outstanding as of the date of this Petition, and counsel is unable to determine
6 the contents of that missing portion. Further, the incomplete file does not allow the Petitioner to
7 determine the dates of each hearing held in this case, the judge who presided, or the identity of
8 the court reporters who transcribed those hearings. Until the entire file can be reviewed,
9
10 Petitioner cannot file an accurate and complete Request for Transcripts.
11

12 In order to insure that his request for transcripts is complete, counsel must review the
13 entire file, since the 36 claims for relief in the Petition for Writ of Habeas Corpus are
14 comprehensive of the entire history of this case. Given the condition of the file and the
15 complexity of the case, Petitioner is unable to retrieve the necessary information within the time
16 frame delineated in the Petition filed on or about October 3, 2002.
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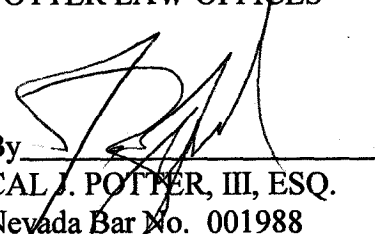
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1 Petitioner anticipates receiving the missing volume of the District Court file within the
2 next thirty (30) days; Petitioner further anticipates being able to review the entire District Court
3 file within the subsequent thirty (30) days. Petitioner therefore respectfully requests an
4 extension of sixty (60) days, up through and including Friday, January 3, 2003, in which to file
5 his Request for Transcripts in this matter.
6

7 DATED this 31st day of October, 2002

8 POTTER LAW OFFICES

9
10 By 
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16 Las Vegas, Nevada 89102
17 Attorneys for Flanagan

18 **CERTIFICATE OF MAILING**

19 Pursuant to NRCP 5(b), I hereby certify that I am an employee of Potter Law Offices,
20 and that on this 31st day of October, 2002, I deposited for mailing, U.S. First
21 Class, postage-prepaid, a copy of the within document addressed to:

22 Leon Simon
23 Deputy District Attorney
24 200 South Third Street, 7th Floor
25 Las Vegas, Nevada 89155

26 
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