

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

FILED

MAR 31 2003

BY JANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

MARLO THOMAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Case No. 40248

MOTION TO ALLOW APPELLANT TO FILE
AN OPENING BRIEF IN EXCESS OF 30 PAGES

COMES NOW, Appellant MARLO THOMAS, by and through his attorney, DAVID M. SCHIECK, ESQ., and moves this Court for an Order allowing the Opening Brief to exceed 30 pages, to-wit 76 pages.

This Motion is made and based on the Points and Authorities and Affidavit attached hereto.

Dated this 27 day of March, 2003.

RESPECTFULLY SUBMITTED:

BY David M. Schieck
DAVID M. SCHIECK, ESQ.
302 East Carson, Suite 600
Las Vegas, Nevada 89101
702-372-1844
Attorneys for Appellant

POINTS AND AUTHORITIES

MARLO THOMAS has submitted herewith his Opening Brief of 76 pages. NRAP 29(g) provides that except by permission of the Court, briefs shall not exceed 30 pages, exclusive of pages

David M. Schieck
Attorney At Law
302 E. Carson Ave., Ste. 600
Las Vegas, NV 89101
(702) 382-1844

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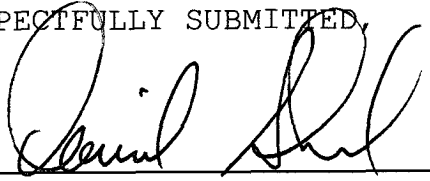
03-15319

1 containing the table of contents, table of citations and any
2 addendums.

3 Due to the nature of the issues involved, it is
4 respectfully requested that the Court allow the brief to exceed
5 the limit of NRAP 29(g) and contain 76 pages.

6 Dated this 27 day of March, 2003.

7 RESPECTFULLY SUBMITTED,

8 
9 BY _____
10 DAVID M. SCHIECK, ESQ.
11 302 East Carson, Suite 600
12 Las Vegas, Nevada 89101
13 702-372-1844
14 Attorneys for Appellant

15 AFFIDAVIT OF COUNSEL

16 STATE OF NEVADA)
17) ss:
18 COUNTY OF CLARK)

19 DAVID M. SCHIECK, first being duly sworn, deposes and
20 says:

21 That Affiant is an attorney duly licensed to practice law
22 in the State of Nevada and court appointed counsel for MARLO
23 THOMAS.

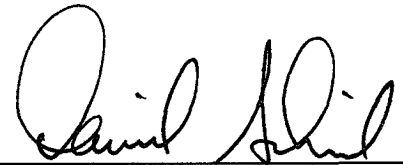
24 That Affiant executes this affidavit in support of a
25 Motion to Allow Appellant to File an Opening Brief in excess of
26 thirty pages.

27 That Affiant has handled numerous criminal appeals to this
28 Court and strives to always meet the requirements of the Court
concerning the length of briefs.

1 That Affiant has raised only those issues which he
2 believes to have merit with as much brevity as possible and
3 still make the necessary point.

4 Wherefore, Affiant respectfully requests that this
5 Honorable Court grant this Motion and allow Appellant to file a
6 Brief of 76 pages.

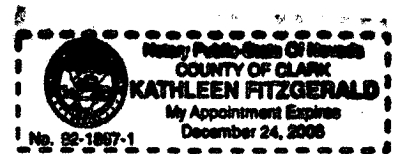
7 Further Affiant sayeth naught.

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9
10 

DAVID M. SCHIECK


11 SUBSCRIBED and SWORN to before me
12 this 27 day of March, 2003.

13
14 
15 NOTARY PUBLIC



16 CERTIFICATE OF MAILING

17 I, KATHLEEN FITZGERALD, do hereby certify that on the 28
18 day of March, 2003, a copy of the foregoing Motion was
19 deposited in the United States Mail at Las Vegas, Nevada,
20 enclosed in a sealed envelope upon which first class postage
21 was fully prepaid, addressed to District Attorney, 200 S. Third
22 Street, Las Vegas NV 89155; and Nevada Attorney General, 100 N.
23 Carson St., Carson City NV 89701-4717.

24
25 
26 KATHLEEN FITZGERALD an employee
27 of David Schieck, Esq.
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