

ORIGINAL

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

ALFRED P. CENTOFANTI, III,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO. 44984

**FILED**

OCT 27 2005

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

**MOTION FOR LEAVE TO FILE THE APPELLANT'S OPENING BRIEF  
IN EXCESS OF THIRTY PAGES**

COMES NOW the Appellant, ALFRED P. CENTOFANTI, by and through his attorney, CARMINE J. COLUCCI, ESQ., of the law firm of CARMINE J. COLUCCI, CHTD., and moves this Honorable Court for an order allowing the expansion of the length of Appellant's Opening Brief to 42 pages.

This motion is made and based on the Points and Authorities submitted herewith and the Affidavit of Carmine J. Colucci, attached hereto, together with all pleadings and papers on file herein.

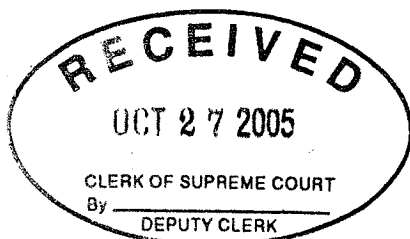
DATED this 25<sup>th</sup> day of October, 2005.

IT IS ORDERED THE BRIEF MAY BE FILED  
IN EXCESS OF 30 PAGES. TO WIT  
42 PAGES

J. Bloom, Clerk of Court  
cc: Counsel of Record

COLUCCI J. COLUCCI, CHTD.

BY Carmine J. Colucci  
CARMINE J. COLUCCI, ESQ.  
Nevada Bar No. 000881  
629 South Sixth Street  
Las Vegas, Nevada 89101  
Attorney for Appellant



05-21282

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**POINTS AND AUTHORITIES**

Rule 28(g) of the Nevada Rules of Appellate Procedure states in pertinent part as follows:

**Rule 28. Briefs.**

...  
(g) Length of briefs. Except by permission of the court, briefs shall not exceed 30 pages, exclusive of pages containing the table of contents, tables of citations and any addendum containing statutes, rules, regulations, etc.  
...

In order to fully develop the facts and brief the issues, the Opening Brief is in excess of 30 pages, to-wit 42 pages. There were numerous pretrial and post trial motions which gave rise to important appeal issues. In addition, the jury trial lasted over one month thereby causing the trial transcript to be quite voluminous. In order to properly address the important appeal issues which must be raised in this first degree murder conviction, Appellant needs to file a brief with more than thirty (30) pages.

Therefore, it is respectfully requested that this Court enter an order granting the expansion of the length of the Appellant's Opening Brief to 42 pages.

DATED this 25<sup>th</sup> day of October, 2005.

CARMINE J. COLUCCI, CHTD.

BY 


CARMINE J. COLUCCI, ESQ.

Nevada Bar No. 000881  
629 South Sixth Street  
Las Vegas, Nevada 89101  
Attorney for Appellant

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

CARMINE J. COLUCCI, being first duly sworn, deposes and says:

2. That in order to properly and adequately fully develop the facts and important issues which have been created during the course of the proceedings in this case leading to a first degree murder conviction, Appellant's Opening Brief must be in excess of 30 pages, to-wit 42 pages.

  
CARMINE J. COLUCCI

Zoe Ann McCaugh  
NOTARY PUBLIC in and for said  
County and State



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 25<sup>th</sup> day of October, 2005, I deposited in the United States Mail at Las Vegas, Nevada, a true and correct copy of MOTION FOR LEAVE TO FILE AN AMENDED OPENING BRIEF IN EXCESS OF 30 PAGES enclosed in a sealed envelope upon which first class postage has been fully prepaid, addressed to:

DAVID ROGER  
Clark County District Attorney  
200 South Lewis Avenue  
Post office Box 552212  
Las Vegas, Nevada 89155-2211

FRANKIE SUE DEL PAPA  
Nevada Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717

Attorneys for Respondent

  
ZOE ANN McGOUGH, an employee  
of COLUCCI J. COLUCCI, CHTD.