



SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
TRACIE K. LINDEMAN, CLERK
201 SOUTH CARSON STREET, SUITE 201
CARSON CITY, NEVADA 89701-4702

Telephone
(775) 684-1600

October 7, 2013

Alfred Centofanti, III
85237
HDSP
PO Box 650
Indian Springs, NV 89070

Re: Docket No. 58562

Dear Mr. Centofanti:

This is in response to your letter received on October 4, 2013. In your letter you request an extension to file a petition for en banc reconsideration. We are returning your document, unfiled. On October 4, 2013, an en banc reconsideration was filed in this court by your attorney. I am enclosing a copy for your information. Please contact your attorney with any further questions or concerns you may have regarding your appeal.

Sincerely,

A handwritten signature in cursive script that reads "A. Ingersoll".

Amanda Ingersoll
Deputy Clerk

13-29925

IN THE SUPREME COURT OF THE STATE OF NEVADA

RETURNED
UNFILED

Alfred P. Centofanti III,
Appellant,

Case No. 58562

OCT 07 2013

vs.

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

THE STATE OF NEVADA,
Respondent.

Appellant's ex-parte motion for an
Extension of time to file Petition for
En Banc Reconsideration.

Comes now, Appellant Alfred P. Centofanti III, ex-parte and in proper person and requests this honorable court grant this request for additional time to file a Petition for En Banc Reconsideration, based upon the following:

On September 25, 2013 a three (3) judge panel of this court denied the rehearing of the decision affirming the denial of Appellant's Petition for writ of Habeas Corpus (Post-Conviction).

On September 30, 2013, Appellant received a copy of the order denying Rehearing from counsel. Letter dated September 25th, postmarked September 26th, stamped received September 27th, delivered to Appellant September 30th.

Therefore five (5) of the ten (10) days in which Appellant has to file a Petition for En Banc Reconsideration have already passed, and currently, the deadline, which would fall on October 5th, a weekend day, would be October 7, 2013.

Appellant does not believe that he will be able to communicate with counsel before this deadline will expire, thus prejudicing him from being able to pursue the issues raised in the counsel filed Petition for Rehearing further.

1 Petitioner has no direct access to the phone, mail is picked up
2 and sent out the following business day, and no law library access
3 in his current housing situation.

4 Having no other option to preserve the 10 day deadline,
5 Petitioner is preparing and submitting this motion pursuant
6 to the applicable Rules of Appellate Procedure, other Rules of
7 this Court, the Court's inherent powers, in hopes this will allow
8 this matter to proceed on the merits and not be defaulted due
9 to the limitations imposed on Petitioner and his ability to
10 communicate with his appointed counsel.

11 Therefore, Petitioner requests that:

12 (1) This motion be allowed under NRAP 46 (b);

13 (2) The motion be granted and the ten (10) day deadline
14 for ex-bene reconsideration be extended to allow him to
15 communicate with counsel; and

16 (3) The Court grant whatever additional relief it deems proper
17 under the facts and circumstances of this case.

18 The issue for ex-bene reconsideration involves the conflict
19 created when sentencing, post trial and appellate ^(Direct Appeal) counsel was
20 allowed to also represent in post conviction habeas proceedings.

21 Dated this 30th day of September, 2013.

22 
23 Alfred Centofanti #85237
24 High Desert State Prison
25 P.O. Box 650
26 Indian Springs, W 89070