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Counsel for Appellant:
DIPAK KANTILAL DESAI

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIPAK KANTILAL DESAI,)	
)	
Appellant,)	CASE NO. 64591
)	
vs.)	
)	
STATE OF NEVADA,)	
)	
Respondents.)	
_____)	

**MOTION FOR PERMISSION TO EXCEED
PAGE/WORD LIMIT FOR OPENING BRIEF**

Appellant, by and through counsel, Franny A. Forsman, Law Offices of Franny Forsman PLLC, requests permission to exceed the type-volume limitations of NRAP 32(a)(7)(A)(ii). The Opening Brief exceeds the limitation by 6,825

words in that it contains 20,825 words. This motion is based on NRAP 32(a)(7)(D) and the attached Declaration of Counsel.

Dated this 2nd day of September, 2014.

FRANNY A. FORSMAN, ESQ.

/s/ Franny A. Forsman
Franny A. Forsman, Esq.
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DECLARATION OF FRANNY A. FORSMAN

1. I am counsel for Appellant and have prepared the Opening Brief in this appeal.
2. I am experienced in the preparation of briefs in appeals in both state and federal courts.
3. Except in death penalty cases, when briefs were filed under my name as the Federal Public Defender for Nevada, I have not sought permission to file an oversize brief with this court.
4. This appeal presents an extraordinarily long record as the trial lasted 45 days, pretrial proceedings were numerous and included several extraordinary proceedings in this court.

5. This appeal presents an unusually large number of issues due to the unusual nature of the prosecution, the complicated theories presented by the State and the unusually large number of Counts in the Indictment.

6. This issues in this appeal are unusually complex as the law in the area of accessory liability and Felony Murder is evolving and in some respects, in Nevada, undeveloped.

7. Counsel for Appellant has made every effort to reduce the size of the Opening Brief in order to comply with the Rule. In order to adequately present the issues, however, it is counsel's good faith belief that the brief cannot be further reduced in size.

8. Appellant has been sentenced to life in prison.

Dated this 2nd day of September, 2014.

Respectfully submitted,

/s/ Franny A. Forsman

Franny A. Forsman, Esq.

Attorney for *Dipak Kantilal Desai*

CERTIFICATE OF SERVICE

I hereby certify this document was filed electronically with the Nevada Supreme Court on September 2, 2014. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven S. Owens
Chief Deputy District Attorney

Catherine Cortez-Masto, Attorney General
State of Nevada

Dated this 2nd day of September, 2014

FRANNY A. FORSMAN, ESQ.

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