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Tracie K. Lindeman
Clerk of Supreme Court

Attorney for Appellant Dipak Kantilal Desai

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIPAK KANTILAL DESAI)	
Appellant,)	Supreme Court No. 64591
)	
vs.)	
)	
THE STATE OF NEVADA,)	
Respondent)	
_____)	

Motion for Extension of Time to File Reply Brief
(First Request)

Appellant Dipak Kantilal Desai, by and through counsel, Franny A. Forsman, moves for an extension of time within which to file his Reply Brief. This motion is made pursuant to NRAP 31(b). The Reply Brief is currently due on April 2, 2015. No extensions of time for the filing of this brief have been sought, granted or denied. Appellant seeks an extension of 30 days only, resulting in a

due date of May 2, 2015.

The reasons why an extension of time is necessary are: 1) the prosecution in this case was based on novel theories of criminal liability and as a result, the issues in this case are complex and a number are issues of first impression; 2) the record is voluminous (over 12,000 pages of transcript) and the State's recitation of facts extends over 12 pages excluding the factual assertions within each argument- those assertions must be researched and refuted where appropriate; 3) the Appellant has been sentenced to life in prison; 4) the extension sought does not exceed that which would be available by stipulation pursuant to NRAP 31(b)(2) and accordingly is not disfavored. NRAP 31(b)(3)(B).

The Appellant in this case has been convicted of 27 felony counts including criminal neglect of patients, reckless endangerment, insurance fraud, and Second Degree Murder. The State utilized theories of aiding and abetting, conspiracy, and felony murder. As a result, very fundamental principles of criminal liability are implicated as well as serious constitutional challenges. The Opening Brief was necessarily lengthy and the State's Answering Brief is 75 pages long. In order to

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effectively reply to the State's Answering Brief, the additional time requested is necessary.

Dated this 27th day of March, 2015.

LAW OFFICE OF FRANNY FORSMAN

/s/ Franny Forsman
Franny A. Forsman
Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on March 27, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Ryan J. MacDonald, Deputy District Attorney
Clark County

Adam Paul Laxalt, Attorney General
State of Nevada

Dated this 26th day of March, 2015

LAW OFFICE OF FRANNY FORSMAN

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