IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW WASHINGTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

## APPELLANT'S MOTION FOR EXTENSION OF TIME

Comes Now Appellant MATTHEW WASHINGTON, by and through Deputy Public Defender SHARON G. DICKINSON, and moves for a sixty (60) day extension of time from Thursday, December 18, 2014, through and including Tuesday, February 17, 2015, within which to file the Opening Brief in this case. This Motion is based upon the attached Declaration of counsel.

DATED this $18^{\text {th }}$ day of December, 2014.
PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER


1. I am an attorney licensed to practice law in the State of Nevada; I am a deputy public defender assigned to handle the appeal of this matter; I am familiar with the procedural history of this case.
2. On 06/18/14, at the time of Mr. Washington's sentencing, his private counsel withdrew and the Clark County Public Defender's Office was directed to handle his appeal. On 06/27/14, the court filed the Judgment.
3. Two notices of appeal were filed: (1) on $06 / 30 / 14$, Mr. Washington filed a pro per notice of appeal in district court, and (2) on 07/17/14, our office filed a notice of appeal.
4. The Opening Brief was originally due on $11 / 17 / 14$ but a continuance by way of stipulation was granted, making the Opening Brief due today.
5. Although the appendix is prepared in part, I have not had time to read the appendix in this case for several reasons. First, during October I injured by right arm and shoulder, requiring medical attention and treatment for pain. During the weeks of 10/19/14 and 10/26/14, I had limited use of my right arm and hand, making it difficult to type for extended periods. Although most of the pain subsided by the end of November, I continue to experience discomfort and mild soreness after typing for long periods. Additionally, during November my mother-in-law became ill and passed on 11/29/14. Her service was out-of-town. I took off time last week to travel and get things ready for the memorial.
6. I also experienced problems in obtaining Mr. Washington's entire file from his private attorney. At sentencing, private counsel gave our deputy a thumb drive that only contained pictures and no files. I have a box of approximately 300 pictures from the one thumb drive. Thus our office obtained the remaining documents at a later date. After receiving the second thumb drive, out office printed out approximately 150 or more pages of documents. At
trial there were almost 300 exhibits introduced during the trial and penalty phase. I did not learn that we received a copy of the entire file from private counsel until approximately 40 days ago.
7. This was a 9 day trial and the appendix currently contains 2055 pages, without any exhibits added. Prior to trial, the prosecutor told the court she planned on calling 40 witnesses. However, a quick review of the appendix indicates approximately 23 witnesses testified. This case involved two trials and one penalty hearing for one murder count. The second trial was a case of possession of a firearm by an ex-felon.
8. In asking for a 60 day extension, I am taking into account ali the cases I need to complete and the fact I have had no contact with Mr. Washington. Although I have written him, he has yet to contact me. I have had contact with a family member. Because of my injury, I continued several other cases that need to be completed before I begin working on his.
9. This Motion for Extension is made in good faith and not for the purpose of delay.

I declare under penalty of perjury that the foregoing is true and correct.
EXECUTED on the $18^{\text {th }}$ day of December, 2014.


SHARON G. DICKINSON

## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the $18^{\text {th }}$ day of December, 2014. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO SHARON G. DICKINSON STEVEN S. OWENS HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

MATTHEW WASHINGTON
NDOC No. 10614647
c/o High Desert State Prison
P.O. Box 650

Indian Springs, NV 89018

> BY $\quad$ Smployee, Clark County Public Defender's Office

