

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

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STEVE DELL MCNEILL,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

Electronically Filed  
Jul 31 2015 04:15 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

CASE NO: 66697

**MOTION FOR ENLARGEMENT OF TIME  
(Third Request)**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, STEVEN S. OWENS, and moves this Court for an enlargement of time within which to file its Answering Brief. This motion is based on the following memorandum and all papers and pleadings on file herein.

Dated this 31<sup>st</sup> day of July, 2015.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ Steven S. Owens

STEVEN S. OWENS  
Chief Deputy District Attorney  
Nevada Bar #004352  
Office of the Clark County District Attorney

## **MEMORANDUM**

I, STEVEN S. OWENS, am the supervising attorney in the above-captioned case. The State is requesting a thirty (30) day extension of time in which to file its Answering Brief pursuant to NRAP 31.

Respondent's Answering Brief is currently due July 31, 2015. This is a direct appeal from the Judgment of Conviction. Pursuant to NRAP 31(b)(3)(B), an initial request for extension of time in a non-capital case will be granted on a clear showing of good cause. Subsequent extensions of time will not be granted except upon a showing of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B).

The State's has had two 30 day extensions due to the length and complexity of the issues included in the Opening Brief. The State makes its third request for an extension of time, citing the following as extraordinary circumstances and extreme need: While the State has made significant progress on the Answering Brief, due to employee turnover in the Appeals Division the State requests another 30 days in which to complete the Answering Brief. The law clerk assigned to the brief has moved to a new division, and was unable to fully complete the brief due to multiple other assignments which needed completing prior to the division change. However, as the Answering Brief is partially completed, the State is certain that given 30 days, a thorough and complete Answering Brief will be filed.

For this reason, the State requests additional time to fully brief and respond to Appellant's claims for this Court.

Due to the above-described circumstances, Respondent respectfully requests this Court's permission for a third extension of time of thirty (30) days to file its Answering Brief, making the State's response due to be filed on Monday, August 31, 2015. This motion is made in good faith and not for purposes of undue delay.

Dated this 31<sup>st</sup> day of July, 2015.

Respectfully submitted,

**STEVEN B. WOLFSON**  
Clark County District Attorney

BY */s/ Steven S. Owens*

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on July 31, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT  
Nevada Attorney General

SHARON G. DICKINSO  
Deputy Public Defender

STEVEN S. OWENS  
Chief Deputy District Attorney

BY /s/ E.Davis  
Employee, District Attorney's Office

SSO/Genevieve Craggs/ed