

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERICK HAROLD HARRIS JR,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Oct 26 2016 10:24 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 69093

MOTION FOR ENLARGEMENT OF TIME

Third Request

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Deputy, CHRISTOPHER F. BURTON, and moves this Court for an enlargement of time within which to file Respondent's Answering Brief. This motion is based on the following memorandum, declaration of counsel and all papers and pleadings on file herein.

Dated this 26th of October, 2016.

Respectfully submitted,

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

BY /s/ Christopher Burton
CHRISTOPHER F. BURTON
Deputy District Attorney
Nevada Bar #012940
Office of the Clark County District Attorney

MEMORANDUM

I, CHRISTOPHER F. BURTON, am a duly licensed attorney in the State of Nevada and am employed by the Clark County District Attorney's Office.

Respondent's Answering Brief is currently due October 26, 2016. This Court may extend the time to file a Respondent's Answering Brief upon a clear showing of good cause. NRAP 31(b)(3). As such, the State requests 30 days up to and including November 28, 2016, within which to file Respondent's Answering Brief.

This is an appeal from the District Court's Judgment of Conviction. After a 14-day jury trial, Appellant was convicted of one count of Child Abuse, Neglect, or Endangerment; eleven counts of Sexual Assault With a Minor Under Fourteen Years of Age; five counts of Lewdness With a Child Under the Age of 14; four counts of First Degree Kidnapping, one count of Coercion (Sexually Motivated); one count of Administration of a Drug to Aid in the Commission of a Crime; six counts of Sexual Assault With a Minor Under Sixteen Years of Age; four counts of Sexual Assault; one Battery With Intent to Commit Sexual Assault; one count of Pandering, and one count of Living From the Earnings of a Prostitute.

On June 16, 2017, Appellant filed a Motion to Enlarge Page Limitation on Appellant's Opening Brief. After three extensions of time, one for sixty days, another for thirty days, and one for sixteen days, Appellant submitted a 65-page Opening Brief, along with a 24-volume appendix. On June 28, 2016, the Court

granted Defendant's request to enlarge page limitation and ordered the clerk of the Court to file Appellant's Opening Brief. Appellant raises nine issues, requiring a review of a 14-day jury trial.

The State has reviewed the record thoroughly and composed a draft Answering Brief. The State's initial review process was unforeseeably delayed due to the original trial attorney being in trial in an unrelated matter over the last two weeks. In order to adequately respond to Appellant's claims the State requires additional time to review and revise its response. The State hereby makes this third request to extend time to thoroughly brief Appellant's claims for this Court.

I declare under penalty of perjury that the factual representations set forth in the foregoing memorandum are true and correct.

Dated this 26th of October, 2016.

Respectfully submitted,

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

BY */s/ Christopher Burton*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on October 26, 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM PAUL LAXALT
Nevada Attorney General

CHRISTOPHER R. ORAM, ESQ.
Counsel for Appellant

CHRISTOPHER BURTON
Deputy District Attorney

BY /s/j. garcia
Employee,
Clark County District Attorney's Office

CFB/Melanie Scheible/jg