

IN THE SUPREME COURT OF THE STATE OF NEVADA

Alfred P. Centofanti, III,

NO.: 78193-COA

FILED

Appellant

JUN 26 2020

vs.

DC NO.: C172534

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

The State of Nevada,

Respondent.

APPELLANT'S MOTION FOR LEAVE TO AMEND AND OTHER RELIEF

COMES NOW, Appellant, Alfred P. Centofanti III, and hereby files this motion for Leave to Amend his Petition for Reconsideration to comply with the applicable NRAP, as well as to add to the record, exhibits and additional case law and authorities not available to him.

Additionally, Appellant asks that any filing fees or costs be waived and the Clerk ordered to file both this motion and concurrently filed Petition for Reconsideration prior to the 10 day deadline of June 23, 2020.

This motion is made and based pursuant to the NRAP, the inherent powers of the Court, and the attached Memo of Points and Authorities.

Respectfully submitted this 15th day of June, 2020.

Alfred Centofanti #85237

Appellant in PRO PER

RECEIVED

JUN 26 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

Appellant has requested the waiver of fee forms from the HOSP law library.

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20-23811

Memorandum of Points and Authorities

Comes now, Appellant, Alfred P. Centofanti, III, in proper and
Respectfully requests this Court allow Appellant leave to Amend the
concurrently filed Petition for Rehearing with additional pleadings
and exhibits pursuant to NRAP 26(b)(1)(A) providing:

For Good Cause, the Court may extend the time prescribed
by these Rules or by its order to perform any act to be
done after that time expires.

Declaration of Appellant Alfred P. Centofanti III

Alfred P. Centofanti III, hereby declares under the penalty of perjury
(NRS 208.165) the following:

1. Appellant seeks leave of this Court to supplement the Petition for
Rehearing with additional facts, witnesses, documents, references to the
record, and other evidence not presently available to him due to the
time constraints of the 10 day filing deadline and the effect the
lockdown states limiting access to essential resources to comply with
the NRAP.

2. HOSP is on both a covid-19 modified lockdown and a lockdown
initiated June 10, 2020 due to a medical staff's death in a car accident.

3. There is no direct access to the law library to do research,
obtain the NRAP, copies and case law and authorities in support
of the Petition for Rehearing. Appellant is attempting to obtain
the NRAP and other authorities through a paying system through
internal HOSP mail (m-Th only).

4. Appellant received the June 5, 2020 order on June 12, 2020,
with only 11 days remaining of the June 23, 2020 deadline.

5. Since Wednesday June 10, 2020 Appellant is not allowed out of
his cell except for showers, and, if HOSP goes back to Covid-19

1 lockdown, inmates will only be allowed out of the cell once a day,
2 but still no law library access.

3 6. Appellant will need additional time to review the record from
4 2012-2019 since the Appellate Court made the unbrieft issue
5 of good cause an issue which will require research and perhaps
6 further briefing, as well as Exhibits not currently available.

7 7. Appellant is not waiving or abandoning his ability to ask for
8 Reconsideration of the issues addressed (and not addressed) by the
9 panel in its June 5, 2020 order of Affirmance, or in the Petition.

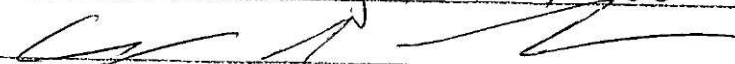
10 8. Appellant wishes to file the Petition for Rehearing to preserve
11 his Rights under MRAP 40 (b) within the 18 day time limit, pending
12 this Court's ruling on this motion.

13 9. This motion is being made in Good Faith and not for the purposes
14 of delay or other improper reason.

15 10. Appellant also seeks Leave to Amend to comply with the
16 MRAP he does not have access to due to Covid-19 protocols.

17 Further Affiant suggests NAUGHT

18
19 Dated this 15th day of June, 2020

20 
21 Alfred Cartofanti # 05237

22 Appellant in Pro Per

23
24 Certificate of mailing

25 (see Certificate attached to the Petition for Rehearing)

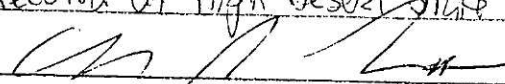
Affidavit of Alfred P. Centofanti, III

State of Nevada }
County of Clark } ss:

I, Alfred P. Centofanti III, the undersigned, do hereby swear
that I have read the contents of the Petition for Rehearing, and that
the facts, statements, and descriptions of events are true and correct,
and that the Exhibits are true and correct copies.

Signed under the penalty of perjury pursuant to NRS 208.165,
FURTHER AFFIANT SAYETH NAUGHT.

Executed at High Desert State Prison, this 15th day of June 2020.


Alfred P. Centofanti III

NDOC # 95237

HOSP I/O, BOX 650

Indian Springs, NV 89070

Appellant in Pro Per

Certificate of Service by Mailing

I, Alfred P. Centofanti, III, hereby certify, pursuant to NRCPS (c), that
on this 15th day of June, 2020, I mailed a true and correct copy of "Petition
for Rehearing" and "Motion for Leave and other Relief" by depositing
them in the HOSP mail, first-class postage fully pre-paid and
addressed as follows:

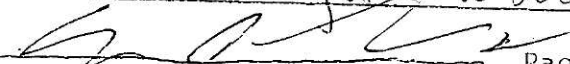
Clark County District Attorney's Office

Appellate / Post Conviction Division

200 Lewis Ave

Las Vegas, NV 89101

Dated this 15th day of June 2020


Alfred P. Centofanti III, # 95237

Appellant in Proper Person