

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

NONA TOBIN, AN INDIVIDUAL,

Appellant,

v.

BRIAN CHIESI, AN INDIVIDUAL;  
DEBORA CHIESI, AN INDIVIDUAL;  
JOEL A. STOKES, AN INDIVIDUAL,  
JOEL A. STOKES AND SANDRA F.  
STOKES, AS TRUSTEES OF  
JIMIACK IRREVOCABLE TRUST;  
JIMIACK IRREVOCABLE TRUST;  
NATIONSTAR MORTGAGE, LLC, A  
CORPORATION; QUICKEN LOANS  
INC., A CORPORATION; RED ROCK  
FINANCIAL SERVICES, A  
CORPORATION AND SANDRA F.  
STOKES, AN INDIVIDUAL

Respondents,

Electronically Filed  
Jun 25 2021 10:34 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**Supreme Court No. 82294**  
District Court Case No. A-19-  
799890-C

**MOTION TO EXTEND TIME TO FILE**  
**OPENING BRIEF AND APPENDIX (SECOND REQUEST)**

COMES NOW, Appellant NONA TOBIN, by and through her attorney,  
JOHN W. THOMSON, ESQ. of THOMSON LAW PC, and hereby submits this  
Motion to Extend Time to File Opening Brief and Appendix. This Motion is based

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on the pleadings and papers on file with the Court, and the Points and Authorities attached.

DATED this 25<sup>th</sup> day of June 2021.

**THOMSON LAW PC**

*/s/ John W. Thomson*  
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JOHN W. THOMSON, ESQ.  
Nevada Bar No. 5802  
2450 St. Rose Pkwy, Ste 120  
Henderson, NV 89074  
*Attorney for Appellant Nona Tobin*

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. SUMMARY OF MOTION**

The present matter is an appeal from the eighth judicial district court. Nona Tobin filed her Notice of Appeal as an individual on January 8, 2021. The Nevada Supreme Court issued an Order Removing from Settlement Program and Reinstating Briefing on February 22, 2021. Ms. Tobin's Opening Brief and Appendix was originally due on May 24, 2021. A first request to extend time to file opening brief and appendix was filed on May 24, 2021, and the Court granted the request, setting the new deadline for June 28, 2021.

On or about June 10, 2021, Ms. Tobin and counsel for Respondents filed a Stipulation to Consolidate Appeals. An Order was issued by the Court

on June 22, 2021, dismissing the appeals for the Orders granting attorney fees, and disapproving the Stipulation to Consolidate.

Appellant needs more time to prepare her Opening Brief and Appendix.

## **II. LEGAL ARGUMENT**

NRAP 26(b)(1)(A) states: “**(b) Extending Time. (1) By Court Order** (A) For good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires.”

This Court has discretion to extend the time for Ms. Tobin to file her Opening Brief and Appendix. Ms. Tobin has good cause for an extension of time; the reasons are: 1) Due to a heavy caseload and backlog of the courts due to the pandemic, which are now speeding up the movement of cases to trial, appellant’s attorney, a sole practitioner, needs additional time to complete the brief and appendix; and 2) attorney’s needs more time due to an unexpected change in staff personnel. Ms. Tobin’s counsel hired a paralegal to replace former staff who unexpectedly retired, and to assist with this appeal and counsel’s caseload, but the new paralegal suddenly became ill and was only able to work two days since the last request for extension. We respectfully request an extension of time until July 28, 2021.

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**III. Conclusion**

WHEREFORE, Appellant Nona Tobin by and through her attorney of record, John W. Thomson, respectfully asks this Court to enter an order granting her a second extension of time to file her Opening Brief and Appendix at the earliest date by July 28, 2021.

Dated this 25<sup>th</sup> day of May, 2021.

THOMSON LAW PC

By: /s/ John W. Thomson  
JOHN W. THOMSON, ESQ.  
Nevada Bar No. 5802  
2450 St. Rose Parkway, Suite 120  
Henderson, Nevada 89074  
*Attorney for Appellant Nona  
Tobin as an individual*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies on June 25, 2021, a true and correct copy of **APPELLANT NONA TOBIN'S MOTION TO EXTEND TIME TO FILE OPENING BRIEF AND APPENDIX (SECOND REQUEST)** was served via the Court's Eflex service system.

/s/John W. Thomson  
An employee of the Thomson Law PC