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8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 CURTIS GUY,
 11 Petitioner,
 12 v.
 13 WILLIAM GITTERE, *et al.*,
 14 Respondents.

Case No. 2:11-cv-01809-APG-NJK
**UNOPPOSED MOTION FOR
 ENLARGEMENT OF TIME TO FILE
 RESPONSE TO PETITIONER'S REPLY
 (ECF NO. 164)**
(THIRD REQUEST)

16 Respondents move this Court for an enlargement of time of 14 days from the current due date of
 17 September 18, 2023, up to and including October 2, 2023, in which to file their Response to Guy's Reply.
 18 ECF No. 164. This Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of
 19 Practice and is based upon the attached declaration of counsel.

20 This is the third enlargement of time sought by Respondents and is brought in good faith and not
 21 for the purpose of delay.

22 DATED September 13, 2023

23 Submitted by:
 24 AARON D. FORD
 Attorney General
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 26 By: /s/ Katrina A. Lopez
 Katrina A. Lopez
 Deputy Attorney General

DECLARATION OF KATRINA A. LOPEZ

I, Katrina A. Lopez, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Curtis Guy v. William Gittere, et al.*, Case No. 2:11-cv-01809-APG-NJK, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The Response to Guy’s Reply is currently due on Monday, September 18, 2023.

4. Respondents have been unable with due diligence to timely complete the Response.

5. Since the Court granted the first enlargement of time on July 14, 2023, Respondents filed the following pleadings in federal court: 1.) an answer filed July 26, 2023 (*Prentice Marshall v. Calvin Johnson, et al.*, Case No. 2:21-cv-02046-APG-BNW); 2.) an answering brief on remand filed August 4, 2023 (*John Michael Farnum v. Robert LeGrand, et al.*, Case No. 2:13-cv-01304-APG-BNW); 3.) a response to motion to alter or amend judgment in a death penalty case filed August 17, 2023 (*Cary Williams v. William Gittere, et al.*, Case No. 2:98-cv-00056-APG-VCF); 4.) a motion to dismiss filed August 28, 2023 (*David Murphy v. Calvin Johnson et al.*, Case No. 2:21-cv-00092-CDS-DJA); 5.) a reply in support of a motion to dismiss filed August 31, 2023 (*Derrick Lamar McKnight v. Warden Baker, et al.*, Case No. 3:17-cv-00681-MMD-CLB); 6.) a motion to alter or amend judgment in a death penalty case filed September 7, 2023 (*William Bryon Leonard v. William Gittere, et al.*, Case No. 2:99-cv-00360-MMD-DJA); and various responses in state post-conviction cases.

6. Between now and October 2, 2023, Respondents will also be working on a Ninth Circuit answering brief that is also due next month (*Mario Alejandro Lopez v. Brian E. Williams, et al.*, Case No. 23-15469). Respondents also anticipate taking annual leave on September 15, 2023 and September 18, 2023.

7. Because of the above commitments, Respondents will also file motions to enlarge time to file an answer due September 18, 2023 (*Cameron Terral Thomas v. Warden of High Desert State Prison, et al.*, Case No. 2:22-cv-02030-JAD-EJY), a response due September 25, 2023 (*Justin Odell Langford v. Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD), and responses to various pleadings

1 due September 14, 2023 and October 2, 2023 (*Terrell Torry Taylor v. Calvin Johnson, et al.*, Case No.
2 2:21-cv-00948-ART-DJA) to ensure the Response to Guy's Reply is timely filed.

3 8. Respondents communicated with counsel for Guy regarding this extension and they do
4 not object to this request.

5 9. Based on the forgoing, Respondents respectfully request an enlargement of time of 14
6 days from the current due date, September 18, 2023, up to and including October 2, 2023, to file our
7 Response to Guy's Reply.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Executed on September 13, 2023.

10 /s/ Katrina A. Lopez
11 Katrina A. Lopez (Bar. No. 13394)
12 Deputy Attorney General
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15 IT IS SO ORDERED:

16 Dated: September 14, 2023

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19 ANDREW P. GORDON
20 UNITED STATES DISTRICT JUDGE
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