

1 AARON D. FORD  
Attorney General  
2 Michael J. Bongard (Bar. No. 7997)  
Senior Deputy Attorney General  
3 State of Nevada  
Office of the Attorney General  
4 1539 Avenue F, Suite 2  
Ely, NV 89301  
5 (775) 289-1632 (phone)  
(775) 289-1653 (fax)  
6 [mbongard@ag.nv.gov](mailto:mbongard@ag.nv.gov)

7 Attorneys for Respondents

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 STEVEN NELSON MURRAY,  
11 Petitioner,  
12 vs.  
13 BRIAN WILLIAMS, SR., et al.,  
14 Respondents.

Case No. 2:12-cv-02212-RFB-VCF

**UNOPPOSED MOTION FOR AN  
EXTENSION OF TIME TO REPLY TO THE  
OPPOSITION TO THE MOTION TO  
DIMISS AMENDED PETITION FOR WRIT  
OF HABEAS CORPUS  
(ECF NO. 64)**

15  
16 Respondents, through legal counsel, Aaron D. Ford, Attorney General of The State of Nevada,  
17 and Michael J. Bongard, Senior Deputy Attorney General, hereby move this court for a thirty (30) day  
18 enlargement of time, up to and including May 1, 2019, in which to submit the reply to Petitioner Steven  
19 Murray's Opposition to Motion to Dismiss Amended Petition for Writ of Habeas Corpus by a Person in  
20 State Custody Pursuant to 28 U.S.C. §2254. (ECF No. 64). The reply is currently due April 1, 2019.

21 Respondents base this motion on the declaration of Counsel.

22 This is Respondents' first request for an extension of time in which to file a reply and made in  
23 good faith and not for purposes of delay.

24 DATED this 27<sup>th</sup> day of March, 2019.

25 AARON D. FORD  
Attorney General

26  
27 By: /s/ Michael J. Bongard  
Michael J. Bongard (Bar No. 007997)  
28 Senior Deputy Attorney General

1 **DECLARATION OF MICHAEL J. BONGARD**

2 1. I am a Deputy Attorney General employed by the Attorney General's Office of the State  
3 of Nevada in the Bureau of Criminal Justice, and I make this declaration on behalf of Respondents'  
4 Unopposed Motion for Enlargement of Time to file the reply to the opposition to the motion to dismiss  
5 (First Request) in the above-captioned case. By this motion, I am requesting a thirty (30) day enlargement  
6 of time, up to and including, May 1, 2019, to file and serve the reply. The reply is currently due April 1,  
7 2019.

8 2. Murray filed the opposition to the motion to dismiss on March 25, 2019. The reply consists  
9 of thirty three (33) pages.

10 3. Counsel is currently working on the sur-reply and the opposition to the motion for  
11 evidentiary hearing in *Lisle v. Gittere, et al.*, USDC Case Number 2:03-cv-1006-MMD-CWH (death  
12 penalty case). The responses are due on April 1, 2019.

13 4. Counsel will additionally be out of the Ely office on Friday, March 29, 2019, for the  
14 purposes of teaching a class for Nevada Department of Corrections Investigators and for conducting a  
15 moot court for an upcoming oral argument in *Brown v. Filson, et al.*, Ninth Circuit Case Number 18-  
16 15663.

17 5. On March 25, 2019, Counsel e-mailed opposing counsel, Mr. Jeremy Baron, to determine  
18 whether he would oppose this request for enlargement of time. Mr. Baron stated that he does not oppose  
19 this motion.

20 For these reasons, Counsel respectfully asks this Court to grant the request for an extension of  
21 time of thirty (30) days to file the response to the petition.

22 DATED this 27<sup>th</sup> day of March, 2019.

23 IT IS SO ORDERED:

24 By: /s/ Michael J. Bongard  
25 Michael J. Bongard (Bar No. 007997)  
26 Senior Deputy Attorney General

26   
27 RICHARD F. BOULWARE, II  
28 UNITED STATES DISTRICT JUDGE

DATED this 28th day of March, 2019.

1 **CERTIFICATE OF SERVICE**

2 I certify that I electronically filed the foregoing *Unopposed Motion for an Extension of Time to*  
3 *Reply to the Opposition to the Motion to Dismiss Amended Petition for Writ of Habeas Corpus*, with the  
4 Clerk of the Court for the United States District Court by using CM/ECF system on March 27, 2019.

5 The following participants in this case are registered CM/ECF users and will be served  
6 electronically.

7  
8 Jeremy C. Baron  
Assistant Federal Public Defender  
411 E. Bonneville Ave., Suite 250  
9 Las Vegas, NV 89101

10  
11 /s/ D. Simon  
An Employee of the Office of the Attorney General