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9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 CARL BRADLEY,

13 Petitioner,

14 v.

15 ATTORNEY GENERAL OF THE STATE
OF NEVADA, et al.,

16 Respondents.
17

Case No. 2:13-cv-01196-RFB-GWF

**Unopposed Motion for Extension of
Time to File Opposition to Motion to
Dismiss**

(Second Request)

18 Petitioner Carl Bradley, by counsel, moves this Court for an order extending
19 the time in which he must file an opposition to the state's motion to dismiss by 60
20 days from May ⁸~~4~~, 2018, until July ⁷~~3~~, 2018.

21 **POINTS AND AUTHORITIES**

22 1. On January 24, 2018, the state filed a motion to dismiss Bradley's case.
23 ECF No. 76.

24 2. By Order of this Court, Bradley's response was due 60 days later, or by
25 March 26, 2018. *See* ECF No. 74.
26

1 3. Bradley sought a 30 day extension on March 26, 2018. ECF No. 77. By
2 Minute Entry Order on April 24, 2018, this Court granted Bradley's motion and
3 ordered his response due within two weeks, or by May ⁸4, 2018. ECF No. 78.

4 4. This is Bradley's second request to extend this deadline. The requested
5 extension is necessary to permit counsel the time necessary to draft and file Bradley's
6 opposition.

7 5. Counsel has diligently been working on Bradley's opposition. However,
8 counsel was unable to complete the response today.

9 6. Counsel needs to speak with Bradley before finalizing the opposition,
10 which is a cumbersome and time consuming process because he is in federal custody
11 in Florence, Colorado. This additional time will allow counsel to speak to him.

12 7. Counsel seeks 60 days, rather than 30 days, in light of her upcoming
13 deadlines and commitments. Counsel will be out of town May 7-8 and participating
14 in mandatory training May 10-11. She will be on a business trip May 14-15, and has
15 a post-argument reply brief due May 17, 2018 in the Ninth Circuit in *Rose v. Baker*,
16 which counsel cannot extend. Ninth Circuit Case No. 17-15009.

17 8. Additionally, counsel has a Reply due May 21, 2018, which has already
18 been extended once. *See Smith v. LeGrand*, Case No. 3:14-cv-00029. Finally, counsel
19 has been trying to create room in her schedule to work on a large amended petition
20 due June 13, 2018 in large murder case. *See Perez v. State of Nevada*, Case No. 2:14-
21 cv-02087. The matter has been extended multiple times and counsel cannot extend it
22 again. In addition, counsel has a Ninth Circuit brief due June 18, 2018. *Brown v.*
23 *Filson*, Ninth Circuit Case No. 3:09-cv-00557. The requested extension puts Bradley's
24 deadline out past these other deadlines.

25 9. This motion is not filed for the purpose of delay, but in the interests of
26 justice, as well as the interests of Bradley. Rather, the requested 60 days are
necessary.

1 10. On May 4, 2018, undersigned counsel contacted Atty. Jeffrey Conner
2 about this request. He does not objection to this request.

3 For the reasons above, as well as the record in this case, undersigned counsel
4 respectfully asks this Court to grant this request for a ~~30~~⁶⁰-day extension.

5
6 Dated this 4th day of May, 2018.

7 Respectfully submitted,

8 RENE L. VALLADARES
9 Federal Public Defender

10 /s/ Amelia L. Bizzaro
11 AMELIA L. BIZZARO
12 Assistant Federal Public Defender

13
14 IT IS SO ORDERED:

15 
16 _____
17 RICHARD F. BOULWARE, II
18 UNITED STATES DISTRICT JUDGE

19 DATED this 7th day of May, 2018.
20
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26

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 4, 2018, I electronically filed the foregoing with
3 the Clerk of the Court for the United States District Court, District of Nevada by
4 using the CM/ECF system.

5 Participants in the case who are registered CM/ECF users will be served by
6 the CM/ECF system and include: Jeffrey M. Conner.

7 I further certify that some of the participants in the case are not registered
8 CM/ECF users. I have mailed the foregoing by First-Class Mail, postage pre-paid, or
9 have dispatched it to a third party commercial carrier for delivery within three
10 calendar days, to the following non-CM/ECF participants:

11 Carl Bradley
12 No. 43838-048
13 USP Florence ADMAX
14 US Penitentiary
15 PO Box 8500
16 Florence, CO 81226

17 /s/ Jessica Pillsbury
18 An Employee of the
19 Federal Public Defender
20
21
22
23
24
25
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