

1 AARON D. FORD  
 Attorney General  
 2 Katrina A. Samuels (Bar. No. 13394)  
 Deputy Attorney General  
 3 State of Nevada  
 Office of the Attorney General  
 4 555 E. Washington Ave., Ste. 3900  
 Las Vegas, NV 89101  
 5 (702) 486-3770 (phone)  
 (702) 486-2377 (fax)  
 6 KSamuels@ag.nv.gov  
*Attorneys for Respondents*

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 ALLEN S. HEUSNER,

11 Petitioner,

12 v.

13 DWIGHT NEVEN, *et al.*,

14 Respondent(s).

Case No. 2: 14-cv-01119-RFB-GWF

**UNOPPOSED MOTION FOR  
 ENLARGEMENT OF TIME TO FILE  
 REPLY IN SUPPORT OF MOTION TO  
 DISMISS (ECF NO. 74)**

**(SECOND REQUEST)**

15 Respondents move this Court for an enlargement of time of 45 days from the current due date of  
 16 May 13, 2022, up to and including June 27, 2022, in which to file their Reply in support of their Motion  
 17 to Dismiss on Heusner's Second Amended Petition for Writ of Habeas Corpus (ECF No. 74). This  
 18 Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based  
 19 upon the attached declaration of counsel.

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

22 DATED May 13, 2022

23 Submitted by:

24 AARON D. FORD  
 Attorney General

25 By: /s/ Katrina A. Samuels  
 26 Katrina A. Samuels (Bar. No. 13394)  
 27 Deputy Attorney General  
 28

**DECLARATION OF KATRINA A. SAMUELS**

1  
2 I, Katrina A. Samuels, being first duly sworn under oath, depose and state as follows:

3 1. I am an attorney licensed to practice law in all courts within the State of Nevada and  
4 employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been  
5 assigned to represent Respondents in *Allen S. Heusner v. Dwight Neven, et al.*, Case No. 2:14-cv-01119-  
6 RFB-GWF, and as such, have personal knowledge of the matters contained herein.

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

8 3. The Reply to Heusner's Opposition is currently due on Friday, May 13, 2022.

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

10 5. In the past few months, Respondents filed a motion to dismiss filed February 4, 2022  
11 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-00731-GMN-VCF); a motion  
12 to dismiss filed February 10, 2022 (*Cory O'Neal Brewer v. William Gittere, et al.*, Case No. 3:20-cv-  
13 00396-MMD-CLB); a response to a request for judicial notice filed February 18, 2022 (*Justin Odell*  
14 *Langford v. Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD); an answer filed March  
15 14, 2022 (*Mazen Alotaibi v. Renee Baker*, Case No. 2:21-cv-01281-CDS-BNW); a reply in support of  
16 motion to dismiss filed March 18, 2022 (*Ricardo Quintanilla v. Brian Williams, et al.*, Case No. 2:20-  
17 cv-00211-GMN-NJK); a response to motion to provide justice court records filed April 7, 2022  
18 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-00731-GMN-VCF); a motion  
19 to dismiss filed April 22, 2022 (*Derrell Lee Christy, Jr. v. William Hutchings*, Case No. 2:21-cv-00132-  
20 APG-BNW); a response to a motion to strike filed May 2, 2022 (*Slater Lance Yohey v. Perry Russell, et*  
21 *al.*, Case No. 3:20-cv-00441-ART-CLB); a renewed motion to dismiss filed May 2, 2022 (*Slater Lance*  
22 *Yohey v. Perry Russell, et al.*, Case No. 3:20-cv-00441-ART-CLB); an answering brief in the Ninth  
23 Circuit filed May 9, 2022 (*John Michael Farnum v. Robert Legrand, Warden; Attorney General for the*  
24 *State of Nevada*, Case No. 21-15529); an opposition to motion for recusal (*Justin Odell Langford v.*  
25 *Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD); and various responses in state post-  
26 conviction cases.

27 6. Additionally, the Post-Conviction Division of the Nevada Attorney General's Office is  
28 presently staffed by 12 full-time post-conviction attorneys, two attorneys who primarily work for other

1 divisions, and one legal researcher who is shared with other divisions. Among other duties, the attorneys  
2 in the Post-Conviction Division respond to all federal habeas cases (in the district court and appeal),  
3 including both capital and non-capital cases, all state habeas cases involving time-computation issues,  
4 challenges to denial of parole, and disciplinary issues (in state district court and appeal), all extradition  
5 and rendition matters, all wrongful conviction compensation cases, and all state direct appeals and post-  
6 conviction petitions arising from Attorney General criminal prosecutions.

7 7. Respondents communicated with counsel for Heusner regarding this extension and they  
8 do not object to this request.

9 8. Based on the forgoing, Respondents respectfully request an enlargement of time of 45  
10 days from the current due date, May 13, 2022, up to and including June 27, 2022, to file our Reply in  
11 Support of our Motion to Dismiss.

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

13 Executed on May 13, 2022.

14 /s/ Katrina A. Samuels  
15 Katrina A. Samuels (Bar. No. 13394)  
16 Deputy Attorney General

17  
18 IT IS SO ORDERED:

19  
20 

21 RICHARD F. BOULWARE, II  
22 United States District Judge

23 DATED this 16th day of May, 2022.  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of Time to File Reply in Support of Motion to Dismiss (ECF No. 74) (Second Request)* with the Clerk of the Court by using the CM/ECF system on May 13, 2022.

The following participants in this case are registered CM/ECF users and will be served by the CM/ECF system:

Alicia R. Intriago, Esq.  
Assistant Federal Public Defender  
411 East Bonneville Avenue, Suite 250  
Las Vegas, NV 89101  
Alicia\_Intriago@fd.org@fd.org

Jonathan M. Kirshbaum, Esq.  
Assistant Federal Public Defender  
411 East Bonneville Ave., Suite 250  
Las Vegas, NV 89101  
Jonathan\_Kirshbaum@fd.org

/s/ J. Gochuico  
An employee of the Office of the Attorney General