

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

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)**

(THIRD REQUEST)

17 Respondents move this Court for an enlargement of time of 37 days from the current due date of
 18 June 27, 2022, up to and including August 3, 2022, in which to file their Reply in support of their Motion
 19 to Dismiss to Heusner's Second Amended Petition for Writ of Habeas Corpus (ECF No. 74). This Motion
 20 is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon
 21 the attached declaration of counsel.

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

24 DATED: June 27, 2022

25 Submitted by:

26 AARON D. FORD
 Attorney General

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

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 am
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 Monday, June 27, 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 response to motion to provide justice court
11 records filed April 7, 2022 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-
12 00731-GMN-VCF); a motion to dismiss filed April 22, 2022 (*Derrell Lee Christy, Jr. v. William*
13 *Hutchings*, Case No. 2:21-cv-00132-APG-BNW); a response to a motion to strike filed May 2, 2022
14 (*Slater Lance Yohey v. Perry Russell, et al.*, Case No. 3:20-cv-00441-ART-CLB); a renewed motion to
15 dismiss filed May 2, 2022 (*Slater Lance Yohey v. Perry Russell, et al.*, Case No. 3:20-cv-00441-ART-
16 CLB); an answering brief in the Ninth Circuit filed May 9, 2022 (*John Michael Farnum v. Robert*
17 *Legrand, Warden; Attorney General for the State of Nevada*, Case No. 21-15529); an opposition to
18 motion for recusal filed May 11, 2022 (*Justin Odell Langford v. Warden Renee Baker, et al.*, Case No.
19 3:19-cv-00594-MMD-CSD); an opposition to motion to reconsider motion to amend petition filed May
20 16, 2022 (*Justin Odell Langford v. Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD);
21 a reply in support of motion to dismiss filed May 31, 2022 (*Markiece Palmer v. William Gittere, et al.*,
22 Case No. 3:18-cv-00245-HDM-CLB); a reply in support of motion to dismiss filed June 20, 2022
23 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-00731-GMN-VCF); and various
24 responses in state post-conviction cases.

25 6. Respondents communicated with counsel for Heusner regarding this extension and they
26 do not object to this request.

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) (Third Request)* with the Clerk of the Court by using the CM/ECF system on June 27, 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
Counsel for Petitioner

Jonathan M. Kirshbaum, Esq.
Assistant Federal Public Defender
411 East Bonneville Ave., Suite 250
Las Vegas, NV 89101
Jonathan_Kirshbaum@fd.org
Counsel for Petitioner

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