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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 MICHAEL DEAN ADKISSON,
12
13 Petitioner,
14 v.
15 D.W. NEVEN,
16 Respondents.

Case No. 2:14-cv-01934-APG-CWH

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
REPLY TO ANSWER**

(First Request)

ORDER

17
18 Petitioner Michael Dean Adkisson moves this Court for an extension of time of
19 sixty (60) days from April 28, 2017, to and including June 27, 2017, to file his Reply to
20 Respondents' Answer. This motion is based upon the attached declaration of counsel
21 and the files and records in this case.

22 DATED this 25th day of April, 2017.

23 Respectfully submitted,
24 RENE L. VALLADARES
Federal Public Defender

25 /s/ Armilla Staley-Ngomo
26 ARMILLA STALEY-NGOMO
Assistant Federal Public Defender

1 3. More specifically, I have been assigned several pre-petition habeas
2 corpus matters, at least four of which have AEDPA time remaining on their claims.
3 These pre-petition matters have resulted in numerous initial client visits at various
4 Nevada state prisons over a condensed period of time, including at High Desert
5 State Prison in Indian Springs; Northern Nevada Correctional Center in Reno;
6 Lovelock Correctional Center in Lovelock; and Ely State Prison in Ely. In addition,
7 the client visits in Reno, Ely and Lovelock necessitate a flight to and an overnight
8 stay in Reno, as my offices are located in Las Vegas.

9 4. The Nevada Department of Corrections currently houses Mr. Adkisson
10 at the Northern Nevada Correctional Center in Reno. For the reasons stated above,
11 I was unable to travel to visit Mr. Adkisson in person until March 16, 2017. I also
12 have a previously scheduled visit with four clients at Ely State Prison this week, as
13 well as to visit two clients at High Desert State Prison and two clients at Lovelock
14 Correctional Center over the coming weeks.

15 5. The requested extension of time is therefore necessary in order to
16 effectively and thoroughly represent Mr. Adkisson. This is a complex habeas corpus
17 matter involving a second degree murder conviction. I need additional time to
18 review the voluminous files and records in this case related to Mr. Adkisson's
19 extensive trial, post-conviction, and appellate court proceedings—which span over a
20 period of twelve years. Mr. Adkisson's federal habeas record also includes a second
21 amended petition that is 48 pages in length, including 148 supporting exhibits
22 totaling more than 2,650 pages, and an answer that is 64 pages in length.

23 6. In addition, I have been busy working on other pressing deadlines,
24 including: several amended petitions, at least four of which have AEDPA time
25 remaining on their claims; a federal habeas petition filed last month that involved
26 murder and attempted murder counts and has a second amended petition due in

1 June; a reply to an answer filed earlier this month; another federal habeas corpus
2 petition involving the violent habitual felon statute filed earlier this month; two
3 oppositions to motions to dismiss due next month; and a Ninth Circuit argument in
4 June.

5 7. For the reasons stated above, as well as the files and records in this
6 case, I ask this Court to grant my request for an extension of time of sixty (60) days
7 and order the Reply to the Answer to be filed on or before June 27, 2017. This
8 motion is not filed for the purposes of delay but in the interests of justice, as well as
9 in the interests of Mr. Adkisson. This is counsel's first request for an extension for
10 this pleading.

11 8. On April 24, 2017, Deputy Attorney General Matthew S. Johnson
12 indicated that he had no objection to this request.

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

14 Dated this 25th day of April, 2017.

15
16 Respectfully submitted,
17 RENE L. VALLADARES
18 Federal Public Defender

19 /s/ Armilla Staley-Ngomo
20 ARMILLA STALEY-NGOMO
21 Assistant Federal Public Defender

22 IT IS SO ORDERED:

23
24 
25 _____
26 United States District Judge

Dated: April 26, 2017.