

1 Rene L. Valladares
Federal Public Defender
2 Nevada State Bar No. 11479
3 Jason F. Carr
Assistant Federal Public Defender
4 Nevada State Bar No. 006587
411 E. Bonneville, Ste. 250
5 Las Vegas, Nevada 89101
6 (702) 388-6577
(702) 388-5819 (fax)
7 Jason_carr@fd.org

8 Attorney for Petitioner Adkisson
9

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 MICHAEL DEAN ADKISSON,

13 Petitioner,

14 v.

15 D.W. NEVEN,

16 Respondents.
17

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

**Motion for Extension of Time to
File Reply to State's Opposition to
Motion to Stay Decision Pending
State Court Proceedings**

18 Petitioner Michael Dean Adkisson moves this Court for an extension of time of
19 thirty (30) days, from April 30, 2019, to and including May 30, 2019, to file his Reply to
20 State's Opposition to Motion to Stay Decision Pending State Court Proceedings. This
21 motion is based upon the attached points and authorities and the files and records in this
22 case.

23 This is Adkisson's first request for an extension.
24
25
26

1 **POINTS AND AUTHORITIES**

2 On April 4, 2019, Petitioner filed a Motion to Stay Decision Pending State
3 Court Proceeding. ECF No. 82. Respondents filed their Opposition on April 23, 2019.
4 ECF No. 83.

5 Petitioner’s response to the Respondents’ opposition to the motion to stay is
6 currently due April 30, 2019. This is a first request for an extension of time. Mr.
7 Carr, Petitioner’s counsel, seeks an extension of thirty (30) days.

8 In addition to other pending deadlines, counsel is scheduled to conduct a
9 telephonic conference with Adkisson on May 1, 2019. Mr. Carr would prefer to file
10 the reply after consulting with Adkisson as he has taken an active role in his
11 litigation.

12 Further, on April 30, and May 1, 2019, the Federal Public Defender has
13 arranged for in-house training on the Sentencing Guidelines and categorical
14 approach.

15 Counsel has not yet heard from opposing counsel as to whether they intend to
16 object to this request. The Attorney General, however, does not object to reasonable
17 extension requests provided it is clear that said non-opposition does not constitute an
18 explicit or implicit waiver of any procedural or substantive defenses.

19
20
21
22
23
24
25
26

1 Counsel respectfully asks this Court to grant Mr. Carr's first request for an
2 extension of time to and through May 30, 2019.


3 Dated April 30, 2019.

4 Respectfully submitted,

5 Rene L. Valladares
6 Federal Public Defender

7 /s/ Jason F. Carr
8 Jason F. Carr
9 Assistant Federal Public Defender

10
11
12
13 IT IS SO ORDERED:

14
15 
16 _____
17 UNITED STATES DISTRICT JUDGE
18 Dated: May 1, 2019.
19
20
21
22
23
24
25
26