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7 Attorneys for Respondents

8 UNITED STATES DISTRICT COURT  
 9 DISTRICT OF NEVADA

10 JUSTIN JAMES EDMISTEN,  
 11 Petitioner,  
 12 vs.  
 13 DWIGHT NEVEN, et al.,  
 14 Respondents.

Case No. 2:15-cv-00952-RFB-NJK

**UNOPPOSED MOTION FOR  
 ENLARGEMENT OF TIME  
 TO FILE RESPONSE TO FIRST AMENDED  
 PETITION FOR WRIT OF HABEAS  
 CORPUS (ECF NO. 41)  
 (FIRST REQUEST)**

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 16  
 17 Respondents move this Court for an enlargement of time of 60 days from the current due date of  
 18 October 19, 2018, up to and including December 18, 2018, in which to file their Response to the First  
 19 Amended Petition for Writ of Habeas Corpus (ECF No. 41). This Motion is made pursuant to Fed. R.  
 20 Civ. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of  
 21 counsel. This is the first enlargement of time sought by Respondents to file this Response, and the request  
 22 is brought in good faith and not for the purpose of delay.

23 DATED: October 19, 2018.

24 Submitted by:

25 ADAM PAUL LAXALT  
 Attorney General

26  
 27 By: /s/ Jessica Perlick  
 Jessica Perlick (Bar. No. 13218)  
 Deputy Attorney General

1 **DECLARATION OF JESSICA PERLICK**

2 STATE OF NEVADA )  
3 COUNTY OF CLARK ) ss:

4 I, JESSICA PERLICK, being first duly sworn under oath, depose and state as follows:

5 1. I am an attorney licensed to practice law in all courts within the State of Nevada, and am  
6 employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I am assigned to  
7 represent Respondents in *Justin James Edmisten v. Dwight Neven, et al.*, Case No. 2:15-cv-00952-RFB-  
8 NJK, and as such, have personal knowledge of the matters contained herein.

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

10 3. The Response to the First Amended Petition for Writ of Habeas Corpus (ECF No. 41) is  
11 currently due October 19, 2018.

12 4. I have been unable with due diligence to timely complete the Response herein.

13 5. I was recently ordered by the state court to prepare a response by October 23, 2018, to a  
14 state habeas petition in *Watson v. Howell*, C-17-322212-1. Further, due to unforeseen conflicts for the  
15 originally-assigned deputies, and another member of our unit being out of the office on maternity leave,  
16 I was transferred two federal cases with impending deadlines, *Williams v. Gentry*, 2:04-cv-01620, and  
17 *Gonzales v. Baca*, 2:16-cv-02015. I am also finalizing responses to motions in a death penalty case,  
18 *Bollinger v. Gittere*, 2:98-cv-01263, which was transferred to me upon the retirement of the previous  
19 deputy.

20 6. Our unit is also responsible for responding to state petitions for writ of habeas corpus that  
21 challenge the calculation of time credits to inmates' sentences. The judicial department which handles  
22 these petitions increased the number of petitions set for hearing, and thus orders to respond, from 10/week  
23 to between 30-35/week. This has significantly increased the amount of time I have to spend working on  
24 state court petitions. I am currently assisting in the training of a new deputy to respond to such petitions,  
25 and have been responsible for review and approval of drafts.

26 7. I communicated with counsel for the Petitioner regarding scheduling issues, and she does  
27 not oppose this request for an extension.

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of*  
3 *Time to File Response to First Amended Petition for Writ of Habeas Corpus (ECF No. 41) (First Request)*  
4 with the Clerk of the Court by using the CM/ECF system on October 19, 2018.

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

7 Megan C. Hoffman  
8 Federal Public Defender  
9 411 E. Bonneville Avenue, Suite 250  
Las Vegas, Nevada 89101  
Megan\_Hoffman@fd.org

10 /s/ R. Carreau  
An employee of the Office of the Attorney General