

1 AARON D. FORD
 Attorney General
 2 Jessica Perlick (Bar. No. 13218)
 Senior Deputy Attorney General
 3 State of Nevada
 Office of the Attorney General
 4 555 E. Washington Ave., #3900
 Las Vegas, NV 89101
 5 (702) 486-3825 (phone)
 (702) 486-2377 (fax)
 6 JPerlick@ag.nv.gov

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 REPLY IN SUPPORT OF MOTION
 TO DISMISS (ECF NO. 48)
 (FIRST REQUEST)**

15
 16
 17 Respondents move this Court for an enlargement of time of 50 days from the current due date of
 18 May 2, 2019, up to and including June 20, 2019, in which to file their Reply in Support of the Motion to
 19 Dismiss (ECF No. 48). This Motion is made pursuant to Fed. R. Civ. P. 6(b) and Rule 6-1 of the Local
 20 Rules of Practice and is based upon the attached declaration of counsel. This is the first enlargement of
 21 time sought by Respondents to file this reply, and the request is brought in good faith and not for the
 22 purpose of delay.

23 DATED: May 1, 2019.

24 Submitted by:

25 AARON D. FORD
 Attorney General

26
 27 By: /s/ Jessica Perlick
 Jessica Perlick (Bar. No. 13218)
 Senior 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 Senior Deputy Attorney General in the Office of the Nevada Attorney General. I am
7 assigned to represent Respondents in *Justin James Edmisten v. Dwight Neven, et al.*, Case No. 2:15-cv-
8 00952-RFB-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 Reply in Support of the Motion to Dismiss is currently due May 2, 2019.

11 4. I am unable with due diligence to timely complete the reply herein.

12 5. I will be out of the office on pre-planned leave from May 4, 2019 – May 19, 2019. In
13 anticipation of being away, I have been working to complete other deadlines, including an April 30, 2019,
14 reply deadline in *Gonzalas v. Williams*, 2:17-cv-01653; April 24, 2019, reply deadline in *Kinder v.*
15 *Legrand*, 3:16-cv-00449; and a 9th Circuit Answering Brief deadline of May 2, 2019, in *Mayo v. State*
16 *of Nevada*, 18-16081. I have also been training new deputies, which requires me to review and edit their
17 pleading drafts prior to filing. As a result, I am unfortunately unable to complete this reply prior to my
18 leave.

19 6. In seeking this extension, I am taking into consideration additional obligations and
20 deadlines that are already set for the month of June, including Answers in *Edwards v. State*, 2:18-cv-
21 00346 and *Mosby v. Baker*, 3:14-cv-00251, both of which are due on June 3, 2019; response in *Garcia*
22 *v. Baker*, 3:17-cv-00291 due June 6, 2019; Answer in *Morrow v. Williams*, 3:17-cv-00580 due June 11,
23 2019; and responses in a capital habeas case, *Wilson v. Baker*, 2:98-cv-01174. Further, upon my return
24 from leave, I will also begin preparing for a 9th Circuit argument in *Escobar v. Williams*, 18-16417,
25 which is set for June 7, 2019; and an evidentiary hearing that is currently set for June 28, 2019 in *Valerio*
26 *v. Scillia*, 2:10-cv-01806.

27 7. I have contacted counsel for the Petitioner, and he does not oppose this request for an
28 extension.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of*
3 *Time to File Reply in Support of Motion to Dismiss (ECF No. 48) (First Request)* with the Clerk of the
4 Court by using the CM/ECF system on May 1, 2019.

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

7 Martin Novillo
8 Assistant Federal Public Defender
9 411 E. Bonneville Avenue, Suite 250
10 Las Vegas, Nevada 89101
11 Martin_Novillo@fd.org

12 /s/ K. Plett
13 _____
14 An employee of the Office of the Attorney General
15
16
17
18
19
20
21
22
23
24
25
26
27
28