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7 *Attorneys for Respondents*

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 JAMES ANTHONY DAVIS,
 11 Petitioner,
 12 vs.
 13 DWIGHT W. NEVEN, et al.,
 14 Respondents.

Case No. 2:15-cv-01574-RFB-NJK

**UNOPPOSED MOTION FOR EXTENSION OF
 TIME TO FILE REPLY IN SUPPORT OF
 MOTION TO DISMISS (ECF NO. 51)**

(FIRST REQUEST)

15
 16 Respondents hereby request an extension of time of an additional forty-five (45) days, up to and
 17 including November 26, 2018, within which to file their Reply in Support of Motion to Dismiss (ECF
 18 No. 51). The current due date to file the Reply is October 12, 2018.

19 This motion is based on the accompanying Declaration of Counsel.

20 DATED: October 12, 2018.

21 ADAM PAUL LAXALT
 22 Attorney General

23 By: /s/ Heidi Parry Stern
 24 Heidi Parry Stern (Bar. No. 8873)
 25 Chief Deputy Attorney General
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1 **DECLARATION OF HEIDI PARRY STERN**

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

5 I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:

6 1. I am an attorney licensed to practice law in the State of Nevada; qualified and admitted to
7 practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada
8 Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in
9 *James Anthony Davis v. Dwight W. Neven, et al.*, 2:15-cv-01574-RFB-NJK, and as such, have personal
10 knowledge of the matters contained herein.

11 2. This extension is necessary due to my preparation for oral argument in the Ninth Circuit
12 in *Robert Jones v. Jack Palmer, et al.*, Case No. 17-15575, which took place on October 9, 2018.

13 3. In addition, our office has been short staffed over the past few months due to the retirement
14 of one of the attorneys in our unit and the difficulty in finding a replacement for him.

15 4. That the Reply in Support of Respondents' Motion to Dismiss is due to be filed October
16 12, 2018.

17 5. Respondents request forty-five (45) days to file a reply, up to and including November
18 26, 2018.

19 6. I have contacted opposing counsel, and she has no objection to this request for extension.


20 7. This is Respondents' first motion for enlargement of time to file the Reply.

21 8. This motion for enlargement of time is made in good faith and not for the purpose of delay.

22 DATED this 12th day of October, 2018.

23 /s/ Heidi Parry Stern
Heidi Parry Stern (Bar No. 8873)
Chief Deputy Attorney General

24 IT IS SO ORDERED:

25 
26 _____
27 RICHARD F. BOULWARE, II
28 UNITED STATES DISTRICT JUDGE

DATED this 15th day of October, 2018.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing *Unopposed Motion for Extension of Time*
3 *to File Reply in Support of Motion to Dismiss (ECF No. 51) (First Request)* with the Clerk of the Court
4 by using the CM/ECF system on October 12, 2018.

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

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