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6 *Attorneys for Respondents*

7 UNITED STATES DISTRICT COURT  
 8 DISTRICT OF NEVADA

9  
 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 OPPOSITION TO  
 PETITIONER’S MOTION FOR  
 EVIDENTIARY HEARING (ECF NO. 62)  
 (FIRST REQUEST)**

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 16 Respondents hereby request an extension of time of an additional forty-five (45) days, up to and  
 17 including December 3, 2018, within which to file their Opposition to Petitioner’s Motion for Evidentiary  
 18 Hearing (ECF No. 62). The current due date to file the Opposition is October 19, 2018.

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

20 DATED: October 19, 2018.

21 ADAM PAUL LAXALT  
 Attorney General

22  
 23 By: /s/ Heidi Parry Stern  
 Heidi Parry Stern (Bar. No. 8873)  
 Chief Deputy Attorney General

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, and  
13 *Alquandre H. Turner v. Renee Baker, Warden, et al.*, Case No. 17-72044, which will be taking place on  
14 November 16, 2018.

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

17 4. That the Opposition to Petitioner’s Motion for Evidentiary Hearing is due to be filed  
18 October 19, 2018.

19 5. Respondents request forty-five (45) days to file a reply, up to and including December 3,  
20 2018.

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

22 7. This is Respondents’ first motion for enlargement of time to file the Opposition.

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

24 DATED this 19th day of October, 2018.

25 APPROVED:

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

26 DATED this 23rd day of October, 2018.

27 

28 RICHARD F. BOULWARE, II  
United States District Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing *Unopposed Motion for Extension of Time*  
3 *to File Opposition to Petitioner’s Motion for Evidentiary Hearing (ECF No. 62) (First Request)* with the  
4 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 Amelia L. Bizzaro, Esq.  
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Las Vegas, Nevada 89101  
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10  
11 /s/ R. Carreau  
12 An employee of the Office of the Attorney General  
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