Davis v. Neven et al

Doc. 70

DECLARATION OF HEIDI PARRY STERN

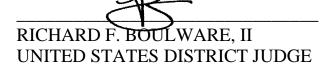
STATE OF NEVADA) ss: COUNTY OF CLARK)

- I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:
- 1. I am an attorney licensed to practice law in all courts within the State of Nevada; qualified and admitted to practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in *James Anthony Davis v. Dwight W. Neven, et al.*, 2:15-cv-01574-RFB-NJK, and as such, have personal knowledge of the matters contained herein.
- 2. I was assigned to this matter after the retirement this year of one of the attorneys in our office. Since his retirement, our unit has been short staffed due to the office's inability to find a replacement for him. As such, my caseload (particularly of death penalty cases) has been substantially higher than normal during this timeframe.
- 3. In addition, during this same timeframe, I have had an unusually heavy load of oral arguments before the Ninth Circuit, which have required significant preparation time. This includes, most recently, *Robert Jones v. Jack Palmer, et al.*, Case No. 17-15575, which took place on October 9, 2018, and *Alquandre H. Turner v. Renee Baker, Warden, et al.*, Case No. 17-72044, which took place on November 16, 2018.
- 4. That the Opposition to Petitioner's Motion for Evidentiary Hearing is due to be filed December 3, 2018.
- 5. Respondents request seven (7) days to file an opposition, up to and including December 10, 2018.
 - 6. I have contacted opposing counsel, and she has no objection to this request for extension.
 - 7. This is Respondents' second motion for enlargement of time to file the Opposition.
- 8. I have been working diligently to complete this opposition and do not anticipate seeking additional extensions.

9. This motion for enlargement of time is made in good faith and not for the purpose of delay. DATED this 3rd day of December, 2018.

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

IT IS SO ORDERED:



DATED this 6th day of December, 2018.

CERTIFICATE OF SERVICE I hereby certify that I electronically filed the foregoing *Unopposed Motion for Extension of Time* to File Opposition to Petitioner's Motion for Evidentiary Hearing (ECF No. 62) (Second Request) with the Clerk of the Court by using the CM/ECF system on December 3, 2018. The following participants in this case are registered CM/ECF users and will be served by the CM/ECF system: Amelia L. Bizzaro, Esq. Federal Public Defender's Office 411 E. Bonneville Avenue, Suite 250 Las Vegas, Nevada 89101 Amelia bizzaro@fd.org /s/ R. Carreau An employee of the Office of the Attorney General