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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 GLENFORD BUDD,

11 Petitioner,

12 vs.

13 RENEE BAKER, *et al.*,

14 Respondents.

Case No: 2:16-cv-00613-RFB-BNW

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
RESPONSE OR ANSWER TO SECOND
AMENDED PETITION (ECF NO. 50)**

(SECOND REQUEST)

15
16 Respondents move this Court for an enlargement of time of thirty-five (35) days from the current
17 due date of April 18, 2023, up to and including May 23, 2023, in which to file their response or answer to
18 Petitioner Glenford Budd's Second Amended Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C.
19 §2254 (ECF No. 50). 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 second enlargement
21 of time sought by Respondents to respond to the Second Amended Petition. The request is brought in
22 good faith and not for the purpose of delay.

23 DATED: April 18, 2023.

24 Submitted by:

25 AARON D. FORD
Attorney General

26
27 By: /s/ Erica Berrett
Erica Berrett (Bar. No. 13826)
Senior Deputy Attorney General
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DECLARATION OF ERICA BERRETT

1
2 STATE OF NEVADA)
3) ss:
4 COUNTY OF CLARK)

5 I, ERICA BERRETT, being first duly sworn under oath, deposes and states as follows:

6 1. I am an attorney licensed to practice law in all courts within the State of Nevada and am
7 employed as a Senior Deputy Attorney General in the Office of the Nevada Attorney General. I have
8 been assigned to represent Respondents in *Glenford Budd v. Renee Baker, et al.*, Case No. 2:16-cv-00613-
9 RFB-PAL, and as such, have personal knowledge of the matters contained herein.

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

11 3. The deadline to file an answer or response to the Second Amended Petition (ECF No. 50)
12 is April 18, 2023. I have been unable with due diligence to timely complete the answer or other response.
13 This is Respondents' second motion for enlargement of time to respond to the Second Amended Petition.

14 4. Since Respondents' previous request for enlargement of time, I have caught up with
15 deadlines in multiple federal habeas cases that had orders cautioning against further extensions. This
16 included filing replies in support of motion to dismiss in *Pritchett v. Gentry*, 2:17-cv-01694-JAD-DJA,
17 *Sprowson v. Baker*, 3:20-cv-00170-MMD-CLB, and *Randolph v. Baker*, 2:18-cv-00449-RFB-VCF; an
18 answer to capital matter *Byford v. Reubart*, 3:11-cv-00112-JCM-CSD; and an answer in *Dixon v. Nevada*,
19 3:13-cv-00248-RCJ-WGC. I also filed an amended answer in capital habeas matter *Hernandez v. Gittere*,
20 3:09-cv-00545-LRH-WGC. In order to catch up on these assignments, I spent nearly five months without
21 a single day off from work, working all weekends, holidays, and normal business days.

22 5. In addition to these filings, I am responsible for assigning all federal habeas cases in the
23 Post-Conviction Division of the Office of the Nevada Attorney General. In the relatively short time since
24 Respondents' previous request for enlargement of time, the Post-Conviction Division has lost three
25 deputies and hired one new deputy, which has required extensive time for me to reassign the deputies'
26 cases. I am also responsible for training the newly hired deputy. Between my administrative
27 responsibilities and my aforementioned responsibilities in other federal habeas cases, I have not had
28 sufficient time to complete the response in this matter.

6. I contacted Petitioner's counsel regarding this request, and she does not oppose it.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of Time to File Response or Answer to Second Amended Petition (ECF No. 50) (Second Request)* by using the CM/ECF system on the 18th day of April, 2023.

The following participants in this case are registered electronic filing system users and will be served electronically:

Angela H. Dows, Esq.
Cory Reade Dows & Shafer
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128

/s/ M. Landreth
An employee of the Office of the Attorney General