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 7

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

10 LEONARD W. HILL,

Case No. 2:17-cv-000155-APG-VCF

11 Petitioner,

**UNOPPOSED MOTION FOR  
 ENLARGEMENT OF TIME (SECOND  
 REQUEST)**

12 vs.

13 BRIAN WILLIAMS, et al.,

14 Respondent.

15 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,  
 16 hereby respectfully move this Court for an order granting a forty-five (45) day enlargement of time, to  
 17 and including March 28, 2019, in which to file and serve their response to Hill’s opposition to motion to  
 18 dismiss.

19 This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure  
 20 and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and  
 21 other materials on file herein.

22 There has been one prior enlargement of Respondents’ time to file said reply, and this motion is  
 23 made in good faith and not for the purposes of delay.

24 RESPECTFULLY SUBMITTED this 11th day of February, 2019.

25 AARON D. FORD  
 Attorney General

26  
 27 By: /s/ Heather D. Procter  
 HEATHER D. PROCTER (Bar No. 8621)  
 Chief Deputy Attorney General  
 28

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10 LEONARD W. HILL,  
11 Petitioner,

12 vs.

13 BRIAN WILLIAMS, et al.,  
14 Respondent.

Case No. 2:17-cv-000155-APG-VCF

**DECLARATION OF COUNSEL**

15 STATE OF NEVADA            )  
  : ss.  
16 CARSON CITY                )

17 I, HEATHER D. PROCTER, hereby states, based on personal knowledge and/or information  
18 and belief, that the assertions of this declaration are true:

19 1. I am a Senior Deputy Attorney General employed by the Attorney General’s Office of the  
20 State of Nevada in the Bureau of Criminal Justice, Post-Conviction Unit, and I make this declaration on  
21 behalf of Respondents’ motion for enlargement of time.

22 2. By this motion, I am requesting a forty-five (45) day enlargement of time, to and including  
23 March 28, 2019, to respond to Hill’s opposition to motion to dismiss. This is my second request for  
24 enlargement.

25 3. The response is currently due February 11, 2019.

26 4. Since my first enlargement, I have been involved in defending federal and state petitions,  
27 including *Atkins v. Filson* (2:02-cv-1348-JCM-PAL) (death penalty); *Grow v. Dzurenda* (3:17-cv-0637-  
28 MMD-WGC); *Guzman v. Nevada Attorney General* (3:17-cv-0515-HDM-CBC); *Hidalgo v. LeGrand*

1 (3:16-cv-0618-MMD-WGC); *Hidalgo v. Baca* (3:18-cv-0153-MMD-CBC); *McClain v. Williams* (2:17-  
2 cv-0753-RFB-NJK); *McNair v. Baca* (3:18-cv-0308-HDM-CBC); and numerous state habeas actions  
3 and extraditions. I was out of the office January 31 to February 1, 2019, and February 5-8, 2019, on  
4 annual leave and to work in other locations. In addition, I was recently promoted to Chief Deputy  
5 Attorney General, which has required addressing numerous new administrative functions. As such, I  
6 request a forty-five (45) day enlargement of time, to and including March 28, 2019, to respond to Hill's  
7 opposition to motion to dismiss.

8 5. This motion for enlargement of time is made in good faith and not for the purpose of  
9 unduly delaying the ultimate disposition of this case.


10 6. I contacted the assigned Federal Public Defender, Kimberly Sandberg, who has no  
11 objection to this enlargement.

12 Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the  
13 foregoing is true and correct.

14 /s/ Heather D. Procter  
HEATHER D. PROCTER

15  
16  
17 **ORDER**

18  
19 **IT IS SO ORDERED.**

20  
21   
22 UNITED STATES DISTRICT JUDGE  
Dated: February 11, 2019.