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

10 OSCAR PEREZ-MARQUEZ,
11 Petitioner,
12 vs.
13 JO GENTRY, *et al.*,
14 Respondents.

Case No.: 2:17-cv-01501-RFB-BNW

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO RESPOND
TO THIRD AMENDED PETITION FOR
WRIT OF HABEAS CORPUS (ECF NO. 106)**

(SECOND REQUEST)

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16 Respondents move this Court for an enlargement of time of 60 days from the current due date of
17 February 14, 2022, up to and including April 15, 2022, in which to respond to Oscar Perez-Marquez's
18 Third Amended Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (ECF No. 106). This
19 Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based
20 upon the attached declaration of counsel. This is the second enlargement of time sought by Respondents
21 for their response and the request is brought in good faith and not for the purpose of delay.

22 DATED: February 14, 2022.

23 AARON D. FORD
Attorney General

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25 By: /s/ Trisha Chapman
Trisha Chapman (Bar. No. 12716)
Deputy Attorney General
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DECLARATION OF TRISHA CHAPMAN

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

4 I, TRISHA CHAPMAN, being first duly sworn under oath, deposes and states as follows:

5 1. I am an attorney licensed to practice law in all courts within the State of Nevada and am
6 employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been
7 assigned to represent Respondents in *Oscar Perez-Marquez v. Jo Gentry, et al.*, Case No. 2:17-cv-01501-
8 RFB-BNW, and as such, have personal knowledge of the matters contained herein.

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

10 3. The deadline to respond to Perez-Marquez’s Petition is February 14, 2022.

11 4. I have been unable with due diligence to timely complete the response herein. I have been
12 balancing several professional deadlines and have filed responsive pleadings in *Stephen Lee Choate v.*
13 *Nevada Attorney General*, 2:16-cv-00813-RFB-GWF (opposition to motion to release) and *Gerald Polk*
14 *v. William Hutchings*, 2:21-cv-00513-RFB-DJA (motion to dismiss). I have also prepared a motion to
15 dismiss in *Mario Espinoza v. William Gittere*, 3:21-cv-00198-MMD-CSD, which barring unforeseen
16 circumstances, will be filed on or before February 17, 2022. Furthermore, I have been working on a
17 substantive answer in *Teag Fox v. Calvin Johnson, et al.*, Case No. 2:21-cv-00380-JAD-NJK, which is
18 also due February 17, 2022.

19 5. During this same time, I have also filed responsive pleadings in the Eighth Judicial District
20 Court in the following state habeas cases: A-21-845267-W, A-21-845270, A-21-844943-W, A-21-
21 846033-W, A-21-846036-W, A-21-846077-W, A-22-846327-W, A-22-846433-W and A-22-846329-W.

22 6. I contacted counsel for Perez-Marquez regarding this request and he has no objection.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of Time to Respond to Third Amended Petition for Writ of Habeas Corpus (ECF No. 106) (Second Request)* with the Clerk of the Court by using the CM/ECF system on February 14, 2022.

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

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/s/ Marsha Landreth
An employee of the Office of the Attorney General