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8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE DISTRICT OF NEVADA**

10 BRYAN WAYNE CRAWLEY,
 11 Petitioner,
 12 vs.
 13 BRAD CAIN, *et al.*,
 14 Respondents.

Case No. 2:17-cv-02086-RFB-CWH

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

15 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,
 16 respectfully move this Court for an order granting a sixty (60) day enlargement of time, to and including
 17 February 3, 2023, in which to file and serve their answer to Crawley’s second-amended petition.

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

21 This is my first enlargement of Respondents’ time to file said reply, and this motion is made in
 22 good faith and not for the purposes of delay.

23 RESPECTFULLY SUBMITTED this 5th day of December, 2022.

24 AARON D. FORD
 Attorney General

25 By: /s/ Heather D. Procter
 26 HEATHER D. PROCTER (Bar No. 8621)
 Chief Deputy Attorney General
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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

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11 BRYAN WAYNE CRAWLEY,
12 Petitioner,
13 vs.
14 BRAD CAIN, *et al.*,
15 Respondents.

Case No. 2:17-cv-02068-RFB-CWH
DECLARATION OF COUNSEL

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

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

20 1. I am the Chief Deputy Attorney General of the Post-Conviction Division of the Nevada
21 Attorney General’s Office, and I make this declaration on behalf of Respondents’ motion for enlargement
22 of time.

23 2. By this motion, I am requesting a sixty (60) day enlargement of time, to and including
24 February 3, 2023, to answer to Crawley’s second-amended petition for writ of habeas corpus. This is my
25 first request for enlargement.

26 3. The response is currently due December 5, 2022.

27 4. I was on annual leave October 19 to November 7, 2022. In addition, I have been out of
28 the office several days to attend conferences, presentations and holidays. I have actively worked on bill

1 draft requests for the upcoming 2023 session of the Nevada Legislature, including an extensive bill that
2 clarifies Nevada Revised Statutes Chapter 34. In addition, at the end of October, Senior Deputy Charles
3 Finlayson left the Division to enter private practice. I have taken over his full caseload and also absorbed
4 his supervisory responsibilities in addition to my own heavy administrative duties. This includes
5 onboarding and training our newest deputy, John Dorame, who transferred into the division November
6 21, 2022. I have also been involved in defending federal and state petitions, including *Hill v. Gittere*
7 (2:98-cv-0914-KJD-DJA); *Mulder v. Gittere* (3:09-cv-0610-CDS-CSD) (death penalty); *Richardson v.*
8 *Gittere* (3:22-cv-00017-RFB-CSD) (death penalty); *Rosky v. Garrett* (3:16-cv-0156-MMD-VPC); and
9 *Williams v. Reubart* (2:98-cv-0056-APG-VCF) (death penalty). As such, I request a sixty (60) day
10 enlargement of time, to and including February 3, 2023, to answer the petition.

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

13 6. I contacted the assigned Federal Public Defender, Alicia Intriago, who has no objection
14 to this enlargement.

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

17 Dated this 5th day of December, 2022.

18
19 /s/ Heather D. Procter
HEATHER D. PROCTER

20
21
22 **ORDER**

23 IT IS SO ORDERED.

24 Dated this 6th day of December, 2022.

25
26 
RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 5th day of December, 2022, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

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Jonathan M. Kirshbaum
Assistant Federal Public Defender
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Alicia_Intriago@fd.org
Jonathan_kirshbaum@fd.org

/s/ Amanda White_____