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7 Attorneys for Respondents

8 UNITED STATES DISTRICT COURT  
 9 DISTRICT OF NEVADA

10 MICHAEL L. SMITH,  
 11 Petitioner,  
 12 vs.  
 13 RENEE BAKER, et al.,  
 14 Respondents.

Case No. 3:13-cv-00246-RCJ-WGC  
**ORDER GRANTING**  
**UNOPPOSED MOTION FOR EXTENSION**  
**OF TIME TO FILE RESPONSE TO SECOND**  
**AMENDED PETITION FOR WRIT OF**  
**HABEAS CORPUS (ECF NO. 44)**  
**(THIRD REQUEST)**

16 Respondents move this Court for a 60-day enlargement of time, up to and including March 8,  
 17 2019, within which to file a Response to Petitioner’s Second Amended Petition for Writ of Habeas  
 18 Corpus (ECF No. 44).

19 This is the third enlargement of time sought by Respondents and is brought in good faith and not  
 20 for the purpose of delay.

21 Respectfully submitted: December 19, 2018.

22 ADAM PAUL LAXALT  
 Attorney General

24 By:           /s/ Heidi Parry Stern            
 25 Heidi Parry Stern (Bar. No. 8873)  
 Chief Deputy Attorney General

**DECLARATION OF HEIDI PARRY STERN**

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

4 I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:

5 1. I am an attorney licensed to practice law in the State of Nevada; qualified and admitted to  
6 practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada  
7 Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in  
8 *Michael L. Smith v. Renee Baker, et al.*, Case No. 3:13-cv-00246-RCJ-WGC, and as such, have personal  
9 knowledge of the matters contained herein;

10 2. This extension is necessary as our office has been short staffed over the past few months  
11 due to the retirement of one of the attorneys in our unit and the difficulty in finding a replacement for  
12 him. As such, my caseload (particularly of death penalty cases) has been substantially higher than normal  
13 during this timeframe.

14 3. In addition, I will be out of the country on a prearranged family trip on the designated due  
15 date of January 7, 2019, and will be unable to file the response at that time.

16 4. Respondents request 60 days to file a response, up to and including March 8, 2019.

17 5. I have contacted opposing counsel, and she has no objection to this request for extension.

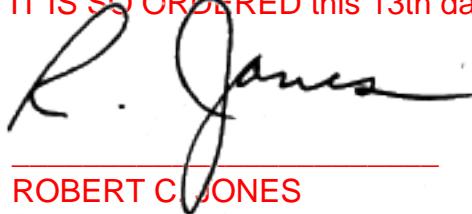
18 6. This is Respondents' third motion for enlargement of time to respond to Petitioner's  
19 Second Amended Petition for Habeas Corpus.

20 7. This motion for enlargement of time is made in good faith and not for the purpose of delay.

21 DATED this 18th day of December, 2018.

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

24 **IT IS SO ORDERED** this 13th day of February, 2019.

25   
26  
27 **ROBERT C. JONES**