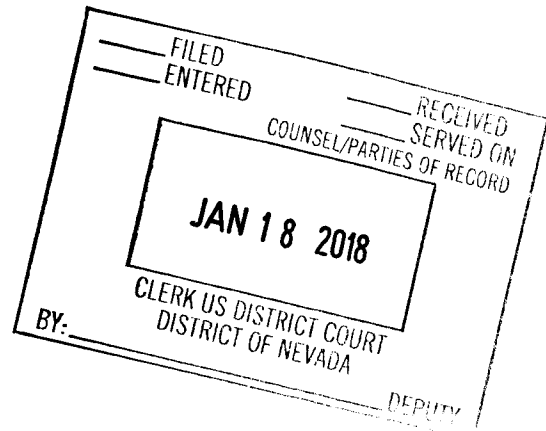


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7 Counsel for Petitioner Paul Recktenwald

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10
11 PAUL RECKTENWALD,
12 Petitioner,
13 vs.
14 DWIGHT NEVEN, et al.,
15 Respondents.

Case No. 3:15-cv-00187-RCJ-VPC

Unopposed Motion for Extension of
Time to File a Reply in Support of
Second Amended Petition

(First Request)

16
17 Petitioner Paul Recktenwald, by counsel, moves this Court for an order
18 extending the time in which he must file a reply in support of his Second Amended
19 petition by 60 days from December 20, 2017 to February 19, 2018. This motion is
20 based upon the attached points and authorities and the record in this case.

21 POINTS AND AUTHORITIES

- 22 1. On November 20, 2017, following a single 45-day extension, Neven filed
23 a 98-page answer. ECF No. 113.
24 2. Recktenwald's Reply is due December 20, 2017, pursuant to this Court's
25 September 16, 2016 Order. ECF No. 97.
26 3. This is Recktenwald's first request for an extension.

1 4. Counsel was out of town from November 23 through November 28, 2017
2 and will be out of town for the day on December 20, 2017 to meet with a witness.

3 5. In the last month, counsel has met several deadlines, including filing a
4 reply brief in the Nevada Supreme Court on November 30, 2017, an opposition in this
5 Court on December 5, 2017. Counsel's time has been primarily occupied by pre-
6 hearing litigation for a case in which a three-day evidentiary hearing is scheduled to
7 be held from January 16 through January 18, 2018 before the Hon. Miranda Du in
8 Reno. In that case alone, counsel has filed two motions, two replies in support of her
9 motion, one response to a motion, a pre-hearing brief, and a reply in support of her
10 pre-hearing brief. All of these pleadings were filed, in conjunction with another
11 attorney, between November 22, 2017 and December 19, 2017.

12 6. Counsel is scheduled to be out of time from December 22 through
13 December 26, 2017 to celebrate the holidays with her family.

14 7. As a result of counsel's schedule, she has been unable to complete the
15 reply in this case. This extension will give counsel enough time after completion of
16 the hearing to file the reply in this case. This additional period of time is necessary
17 to effectively and thoroughly represent Recktenwald. This motion is not filed for the
18 purposes of delay, but in the interests of justice, as well as the interests of
19 Recktenwald, and takes into consideration counsel's upcoming deadlines and
20 obligations.

21 8. On December 19, 2017, counsel contacted Senior Deputy Attorney
22 General Heather D. Procter by e-mail, who does not object to this request.

23 9. For the reasons above, as well as the record in this case, undersigned
24 counsel asks this Court to grant this request for an extension of time and enter an
25 order permitting him to file his reply on or before February 19, 2018.
26

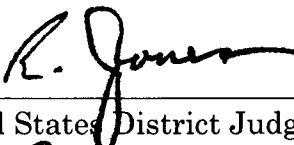
1 Dated this 19th day of December, 2017.

2 Respectfully submitted,

3 RENE L. VALLADARES,
4 Federal Public Defender

5 /s/ Amelia L. Bizzaro
6 AMELIA L. BIZZARO
7 Assistant Federal Public Defender

8 IT IS SO ORDERED:

9
10 
11 _____
12 United States District Judge

13 Dated: January 18, 2018
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