

Colorado Court of Appeals 2 East 14th Avenue Denver, CO 80203	DATE FILED: August 28, 2023 11:53 AM CASE NUMBER: 2023CA589
Teller County 2019CV30051	<div>△ COURT USE ONLY △</div> <div>Case Number: 2023CA589</div>
Plaintiffs-Appellants: Berck Nash, Joanna Nash, Rodney Saunders, Paul Michael Stewart, and Janet Gould, v.	
Defendant-Appellee: Jason Mikesell, in his official capacity as Sheriff of Teller County.	
ORDER FOR EXTENSION OF TIME TO FILE OPENING BRIEF	

GRANTED.

Opening brief is now due 09/11/2023.

Issue 8/28/2023

BY THE COURT

Colorado Court of Appeals 2 East 14th Avenue Denver, CO 80203	
District Court, Teller County, Colorado Honorable Scott A. Sells Case No. 2019CV30051	
Plaintiffs-Appellants: BERCK NASH; JOANNA NASH; RODNEY SAUNDERS; PAUL MICHAEL STEWART; and JANET GOULD, v. Defendant-Appellee: JASON MIKESELL, in his official capacity as Sheriff of Teller County, Colorado.	<div data-bbox="1003 751 1421 793" data-label="Text"> <p>▲ COURT USE ONLY ▲</p> </div> <div data-bbox="1015 814 1356 856" data-label="Text"> <p>Case No.: 2023CA589</p> </div>
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MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF		

Plaintiffs-Appellants Berck Nash, Joanna Nash, Rodney Saunders, Paul Michael Stewart, and Janet Gould (the “Taxpayers”) respectfully move the Court for a 10-day extension of time, up to and including September 11, 2023, to file their Opening Brief. As grounds, the Taxpayers state as follows.

1. Per this Court’s briefing schedule and a prior extension of time, the Opening Brief is currently due on September 1, 2023.

2. Under C.A.R. 26(b), this Court may enlarge the time prescribed for doing any act for good cause shown.

3. The Taxpayers’ counsel have made diligent efforts and steady progress on the Opening Brief but require additional time to finish preparing the brief, for several reasons. First, this is a complex appeal involving multiple issues of first impression, a prior appeal, a bench trial after remand, and a substantial record spanning more than four years of litigation. Second, the Taxpayers’ lead appellate counsel, Stephen G. Masciocchi, has had competing professional commitments, including filings due in multiple cases and preparations for an appellate argument. Third, the Taxpayers’ trial counsel, Annie Kurtz, is on a long-scheduled vacation, will not return until after Labor Day, and will be unable to assist with review of the brief until she returns.

4. This is the Taxpayers' second request for extension of time to file the Opening Brief. The requested extension will not prejudice any party and will not materially delay the progress of this appeal.

5. For these reasons, the Taxpayers asks the Court to extend the time to file their Opening Brief, up to and including September 11, 2023.

Dated August 25, 2023.

Respectfully submitted,

s/Stephen G. Masciocchi

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*In cooperation with the American Civil
Liberties Union Foundation of Colorado*

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CERTIFICATE OF SERVICE

I certify that on August 25, 2023, I served a copy of the foregoing document to the following by

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