

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES MONTELL CHAPPELL,
Appellant/Cross-
Respondent,
vs.
THE STATE OF NEVADA,
Respondent/Cross-
Appellant.

No. 43493

FILED

DEC 03 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER GRANTING MOTION

This is an appeal and cross-appeal from an order of the district court that granted, in part, appellant/cross-respondent's ("appellant") post-conviction petition for a writ of habeas corpus in a capital case. On November 10, 2004, appellant filed a motion requesting an extension of time to file the opening brief. Good cause appearing, we grant the motion. SCR 250(7)(d) (on appeal from a judgment or order resolving an application for a post-conviction relief in a capital case, supreme court may grant an extension of up to 60 days on showing of good cause). Appellant shall have until January 11, 2005, to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). See SCR 250(7)(c).

It is so ORDERED.

[Signature] A C.J.

cc: Special Public Defender David M. Schieck
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger