

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL RIPPO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44094

**FILED**

FEB 23 2006

JANET K. BLOOM  
CLERK OF SUPREME COURT  
(DEPUTY CLERK)

ORDER DENYING MOTION

On October 18, 2005, this court entered an order granting the State's motion for supplemental briefing. This court's order directed appellant and the State to file supplemental briefs on issues relating to the retroactive application of our decision in McConnell v. State, 120 Nev. \_\_\_, 102 P.3d 606 (2004). In addition, this court concluded that upon the filing of the State's supplemental answering brief, this appeal would stand submitted for decision without oral argument unless this court otherwise orders. The State filed its supplemental answering brief on January 17, 2006, and pursuant to this court's order of October 18, 2005, this appeal was submitted for decision on the briefs and record.

On February 15, 2006, however, counsel for appellant filed a motion requesting an extension of time to and including March 15, 2006, within which to file a supplemental reply brief. The motion makes no attempt to demonstrate why a supplemental reply brief is necessary or warranted under the circumstances. Accordingly, appellant's motion is hereby denied.

It is so ORDERED.

                    , C.J.

cc: Christopher R. Oram  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger