

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
DEPARTMENT OF MOTOR VEHICLES,
Appellant,
vs.
WILLIAM JUNGE,
Respondent.

No. 49350

FILED

JAN 27 2009

TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

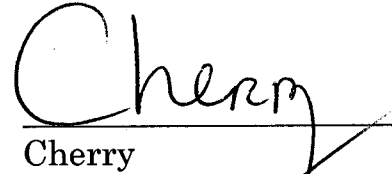
ORDER GRANTING MOTION TO FILE REPLY

This is an appeal from a district court order granting judicial review and reversing an administrative hearing officer's decision upholding appellant Department of Motor Vehicle's denial of respondent's application to renew his personalized license plate.


Currently before this court is amicus curiae American Civil Liberties Union of Nevada's (ACLUN) motion to allow ACLUN to file a reply to the DMV's response to their amicus curiae brief. The DMV has opposed the motion. Having considered the motion and opposition, we conclude that a reply to the DMV's response to ACLUN's amicus brief may assist us in resolving this appeal. Accordingly, we grant ACLUN's motion. See NRAP 2 (providing that this court may suspend requirements or provisions of appellate rules when "good cause" to do so is shown); but cf. NRAP 29 (providing that amicus curiae may not file a reply brief). Accordingly, ACLUN shall have 15 days from the date of this order to file and serve its reply brief. No extensions of time shall be permitted absent demonstration of extreme and unforeseeable circumstances. NRAP

31(a)(1). Further, we note that counsel's caseload will not be deemed such a circumstance. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974).

It is so ORDERED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Attorney General Catherine Cortez Masto/Carson City
Attorney General Catherine Cortez Masto/
Transportation Division/Las Vegas
William Junge
Judy C. Cox
Allen Lichtenstein
Lee B. Rowland