

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRENCE KARYIAN BOWSER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 50851

FILED

JAN 30 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING MOTION IN PART

Appellant has filed a motion requesting a fifth extension of time to file the opening brief and appendix due to difficulties compiling the appendix, and the serious nature of the case and complexity of the issues for appeal. The explanations are similar to those asserted in appellant's motion requesting a fourth extension of time. When this court granted the fourth extension of time, we noted that the case had been lingering on this court's docket for almost one year at that point. And we therefore observed that "no further motions for extensions of time to file the opening brief are expected." It appears, however, that additional circumstances outside of counsel's immediate control have affected counsel's ability to complete the opening briefing. Under the circumstances, we grant the motion in part. Appellant shall have until February 23, 2009, to file and serve the opening brief and appendix. No further extensions will be granted.

It is so ORDERED.

/s/ J. J. Lundy, C.J.

cc: Clark County Public Defender Philip J. Kohn
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger