

IN THE SUPREME COURT OF THE STATE OF NEVADA

NARCUS S. WESLEY A/K/A NARCUS
SAMONE WESLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52127

FILED

OCT 01 2009

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

ORDER GRANTING MOTION

Respondent has filed a motion requesting a second extension of time to file the answering brief. Cause appearing, we grant the motion. NRAP 31(a)(1). Respondent shall have until October 28, 2009, to file and serve the answering brief. No further extensions of time shall be permitted absent demonstration of extreme and unforeseeable circumstances. Counsel's caseload will not be deemed such a circumstance. Cf. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974).

It is so ORDERED.

1. J. S. J., C.J.

cc: The Law Office of Dan M. Winder, P.C.
Clark County District Attorney David J. Roger