

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAIMON MONROE A/K/A DAIMON
DEVI HOYT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52788

FILED

DEC 10 2009

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

ORDER GRANTING MOTION

Cause appearing, the motion for an extension of time to file the reply brief is granted. NRAP 31(a)(1). Appellant shall have until February 4, 2010, to file and serve the reply brief. Given the length of this initial extension request, 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). Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief. NRAP 28(c).

It is so ORDERED.

1. Sanderth, C.J.

cc: Law Offices of Martin Hart, LLC
Attorney General/Carson City
Clark County District Attorney