

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN KEITH FLOWERS A/K/A  
NORMAN HAROLD FLOWERS, III,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53159

**FILED**

**SEP 14 2009**

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

ORDER GRANTING MOTION

Appellant has filed a motion requesting a second extension of time to file the opening brief. In granting appellant's initial, 90-day extension request, we cautioned appellant that additional extensions would be granted only upon a showing of extreme and unforeseeable circumstances and that counsel's caseload would not be deemed such a circumstance. Although the pending request is based on counsel's caseload, we nonetheless grant the motion in this instance. Appellant shall have until October 9, 2009, to file and serve the opening brief and appendix. We caution counsel that no further extensions will be granted absent a showing of extreme and unforeseeable circumstances and that counsel's caseload will not be deemed such a circumstance to justify additional extensions in this case. Cf. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974).

It is so ORDERED.

/ J. L. Smith, C.J.

cc: Special Public Defender David M. Schieck  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger