

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

OCT 26 2009

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

ORDER GRANTING MOTION

Appellant has filed a motion requesting a third extension of time to file the opening brief. Aside from counsel's caseload, extreme and unforeseeable circumstances have been shown. We therefore grant the motion. Appellant shall have until December 9, 2009, to file and serve the opening brief and appendix. We remind counsel that any additional extensions will be granted only on showing of extreme and unforeseeable circumstances and that 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.

[Signature], C.J.

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