

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DAMON RIPPO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53626

FILED

JAN 22 2010

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

ORDER GRANTING MOTION

This is an appeal from a district court order denying a post-conviction petition for a writ of habeas corpus in a death penalty case. Respondent has filed a second motion for an extension of time until February 18, 2010, to file an answering brief. Cause appearing, we grant respondent's motion. See SCR 250(7)(d). Respondent shall have until February 18, 2010, 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.

Parsons, C.J.

cc: Federal Public Defender/Las Vegas
Attorney General/Carson City
Clark County District Attorney