

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS HIDALGO, JR. A/K/A LUIS A.
HIDALGO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54209

FILED

OCT 22 2009

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

ORDER GRANTING MOTION AND REVISING BRIEFING SCHEDULE

Court recorder Janie Olsen has filed a motion for an extension of time to prepare the transcripts requested in this appeal. Cause appearing and despite its untimely filing,¹ the motion is granted. See NRAP 9(b)(4). Ms. Olsen shall have until November 30, 2009, to file the requested transcripts in the district court and deliver copies to the requesting party. See NRAP 9(b)(1)(A). Ms. Olsen shall have until December 9, 2009, to file a proper certificate with this court acknowledging delivery of the transcripts.² NRAP 9(b)(2).

¹The transcript request form was served on July 30, 2009. Therefore, the transcripts should have been filed and delivered on or before August 31, 2009. NRAP 9(b)(1)(A). It appears, however, that there was an issue as to payment of the deposit required by NRAP 9(a)(3)(B), which was resolved by a district court order on August 18, 2009. Taking that order into account, the transcripts should have been filed and delivered on or before September 17, 2009. In either event, the motion for extension filed on October 20, 2009, is untimely. See NRAP 9(b)(4)(A).

²The motion requests 45 days. Out of an abundance of caution, this order approves an extension from the date of the motion.

Given this extension of time to file and deliver the transcripts, appellant shall have until January 29, 2010, to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

It is so ORDERED.

1- [Signature], C.J.

cc: Gordon & Silver, Ltd.
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Janie Olsen, Court Recorder