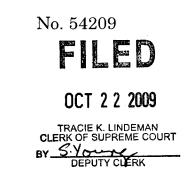
IN THE SUPREME COURT OF THE STATE OF NEVADA

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



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. <u>See</u> 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. <u>See</u> 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. <u>See</u> 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.

SUPREME COURT OF NEVADA 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 Sardesty, C.J.

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

SUPREME COURT OF NEVADA