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

JUL 11 2011

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

ORDER GRANTING MOTION

Cause appearing, the motion for an extension of time to file the reply brief is granted. NRAP 31(b)(3)(B). Appellant shall have until September 6, 2011, to file and serve the reply brief. Given the length of this initial extension request and the amount of time that this appeal has been pending, no further extensions shall be permitted absent extraordinary circumstances and extreme need. NRAP 31(b)(3)(B). Counsel's caseload will not be deemed such a circumstance. Cf. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief.[1] NRAP 28(c).

It is so ORDERED.

_____, C.J.

cc: Gordon & Silver, Ltd.
Attorney General/Carson City
Clark County District Attorney

[1]We remind counsel that a reply brief is "limited to answering any new matter set forth in the opposing brief." NRAP 28(c).

11-20688