

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

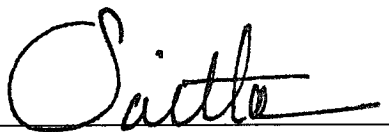
SEP 13 2011

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

ORDER DENYING MOTION

Appellant has filed a motion requesting a second extension of time (30 days) to file and serve the reply brief. When this court granted the initial extension (60 days), we cautioned counsel that any further extensions would require a showing of extraordinary circumstances and extreme need, NRAP 31(b)(3)(B), and that counsel's caseload would not be deemed such a circumstance, cf. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974). The primary support for the present extension request is counsel's caseload. Accordingly, the motion is denied. Appellant shall have 15 days from the date of this order to file and serve the reply brief. We again caution counsel that no further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need and that counsel's caseload will not be deemed such a circumstance. Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief. NRAP 28(c).

It is so ORDERED.

, C.J.

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