

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM P. CASTILLO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56176

**FILED**

**JAN 28 2011**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY J. Murphy  
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. Appellant requests a third extension of time to file the opening brief. As cause, counsel advises that he is assigned to more than ten death penalty cases and was absent from his office for several days in December. Given the short extension requested, the motion is granted. NRAP 31(b)(3)(D). Appellant shall have until January 31, 2011, to file and serve the opening brief and appendix. No further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. Id. 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.

Douglas, C.J.

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