

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTINA CALDERON STIPP,
Appellant/Cross-Respondent,
vs.
MITCHELL DAVID STIPP,
Respondent/Cross-Appellant.

No. 57327

FILED

APR 18 2011

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

ORDER ALLOWING CROSS-APPEAL TO
PROCEED AND SETTING BRIEFING SCHEDULE

This is an appeal and cross-appeal from a post-divorce decree order concerning child custody.

When our preliminary review of the docketing statements and NRAP 3(g) documents revealed potential jurisdictional defects, regarding respondent/cross-appellant Mitchell Stipp's cross-appeal, we directed Mitchell to show cause why he was an aggrieved party with standing to appeal, as it appeared that the district court granted his child custody motion. Further, it was unclear whether he could raise the issue of attorney fees and costs in the cross-appeal. Mitchell timely responded to our show cause order to which appellant/cross-respondent Christina Stipp replied.¹ Because the documents submitted in response to our show cause order demonstrate that Mitchell is an aggrieved party, and that the issue

¹We deny as moot Christina's April 7, 2011, motion for an extension of time to file her reply, as the clerk of this court filed the reply on April 8, 2011.

of attorney fees and costs can be properly considered in the cross-appeal, we conclude that the cross-appeal may proceed.

Accordingly, the following briefing schedule shall apply. Mitchell shall have 20 days from the date of this order to file and serve a combined response and fast track statement and appendix, addressing Christina's fast track statement and his cross-appeal. Christina shall have 20 days from the date that she is served with the combined response and fast track statement to file and serve a response and appendix to Mitchell's cross-appeal.

We caution the parties that because the appellate issues raised in these appeals concern child custody, no extensions of time will be granted absent extreme and unforeseen circumstances. Counsel's caseload will not be deemed such a circumstance. Hansen v. Universal Health Servs., 112 Nev. 1245, 1247, 924 P.2d 1345, 1346 (1996).

It is so ORDERED.

Dwyer, C.J.

cc: Vaccarino Law Office
Radford J. Smith, Chtd.
Mitchell D. Stipp