

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON DUVAL MCCARTY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58101

**FILED**

**DEC 02 2011**

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

ORDER GRANTING MOTION

This is an appeal from a judgment of conviction in a death penalty case. Appellant has requested a third extension of time until January 31, 2012, to file an opening brief. As cause for the delay, counsel states that there has been a recent death in his immediate family. Cause appearing, the motion is granted. Appellant shall have until January 31, 2012, to file and serve the opening brief. 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.

, C.J.

cc: Christopher R. Oram  
Attorney General/Carson City  
Clark County District Attorney