

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 58101

**FILED**

DEC 31 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

*STATEMENT PURSUANT TO NRS 177.267*

When a decision has not been rendered in an appeal from a judgment of death "within 150 days after the Court has received the record on appeal from the clerk of the sentencing court," NRS 177.267(1) requires the Chief Justice of the Nevada Supreme Court to "state on the record the reasons which caused the delay and the facts supporting those reasons." In this case, the record on appeal was received from the sentencing court on May 9, 2011 (volumes 1-49) and June 5, 2013 (volumes 50-57). A decision has not yet been rendered in this appeal for the following reasons:

1. The necessity to grant appellant, for good cause and/or extraordinary circumstances and extreme need, five extensions of time within which to file the opening brief, and four extensions of time to file the reply brief. (The final brief was filed on November 14, 2013.)

2. The necessity to grant respondent, for good cause and/or extraordinary circumstances and extreme need, five extensions of time within which to file the respondent's brief.

3. The size of the record (57 volumes totaling approximately 12,000 pages).

4. The number and complexity of the issues presented.

Pickering, C.J.

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