

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES MONTELL CHAPPELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61967

FILED

OCT 11 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
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 has filed a fourth extension of time to file the opening brief. Although we grant the motion, we caution counsel that any additional request for an extension will not be viewed favorably and remind counsel that no further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. NRAP 31(b)(3)(D). Counsel's caseload will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Appellant shall have until November 18, 2013, to file and serve the opening brief and appendix. Failure to timely file the opening brief and appendix may result in the imposition of sanctions.

It is so ORDERED.

Pickering, C.J.

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