

IN THE SUPREME COURT OF THE STATE OF NEVADA

EVARISTO JONATHAN GARCIA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64221

FILED


JUN 06 2014

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

ORDER GRANTING MOTION

Appellant has filed a motion for a fourth extension of time (5 days) to file the opening brief and appendix. Based on the request in the motion, appellant should have submitted these documents to this court by June 2, 2014. Despite his failure to submit the documents, extraordinary circumstances and extreme need having been shown, we grant the motion. NRAP 31(b)(3)(B). Appellant shall have until June 13, 2014, to file and serve the opening brief and appendix. Any additional extensions will be granted only on showing of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief and appendix may result in the imposition of sanctions.

It is so ORDERED.

, C.J.

cc: Goodman Law Group
Attorney General/Carson City
Clark County District Attorney