

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEANGELO R. CARROLL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64757

FILED

MAY 15 2014

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

ORDER GRANTING MOTION

Cause appearing, the motion for an extension of time to file the opening brief is granted. NRAP 31(b)(3)(B). Appellant shall have until July 7, 2014, to file and serve the opening brief and appendix. Given the length of this initial extension request, no further extensions shall be permitted absent 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.

We note that appellant states he is missing the transcripts of proceedings held on August 4 and December 5, 2005, reported by court reporter Joe D'Amato, who is deceased. Our review of the district court minute entries indicates that no proceedings were held in this matter on December 5, 2005. Further, it appears that a transcript of the proceedings conducted on August 4, 2005, may not be necessary to prepare the opening brief as the district court merely granted an unopposed motion to compel a handwriting sample and continued the hearings of other pending matters. If appellant's counsel believes that a transcript of the August 4, 2005,

proceeding is necessary for this appeal, and he thus must utilize the procedure outlined in NRAP 9(c), he shall so notify this court, in writing, within 11 days of the date of this order.

It is so ORDERED.

, C.J.

cc: Mario D. Valencia
Attorney General/Carson City
Clark County District Attorney