

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONTE JOHNSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 65168

**FILED**

JUN 12 2015

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

**ORDER GRANTING MOTION**

Appellant has filed a motion for a 60-day extension of time to file the reply brief. Cause appearing, the motion is granted. NRAP 31(b)(3)(D) (allowing for initial extension of up to 60 days to file brief in death penalty appeal upon showing of good cause); SCR 250(7)(d) (same). Appellant shall have until August 7, 2015, to file and serve the reply brief. No further extensions will be granted except upon a showing of "extraordinary circumstances and extreme need." NRAP 31(b)(3)(D); SCR 250(7)(d). Counsel's caseload will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief. NRAP 28(c).

It is so ORDERED.

J. Sanders, C.J.

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