

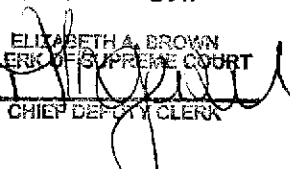
IN THE SUPREME COURT OF THE STATE OF NEVADA

AMMAR ASIMFARUQ HARRIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69509

FILED

MAY 03 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
CHIEF DEPUTY CLERK

ORDER DENYING MOTION

Respondent has filed a motion for a second extension of time (60 days) to file the answering brief. In support of the motion, respondent states that the opening brief is 42 pages long, the record on appeal is 26 volumes, the issues presented are numerous, complex, and fact intensive, and this is a capital case.

When we granted respondent's previous motion for an extension of time, we explained that no further extensions would be granted absent extraordinary circumstances and extreme need. NRAP 31(b)(3)(D); SCR 250(6)(e). Appellant's opening brief is within the page limitation established by NRAP 32(a)(7)(B)(i). Without more explanation, the remaining reasons for an extension offered by respondent do not constitute extraordinary circumstances and extreme need warranting an additional 60-day extension of time, especially where respondent has already been afforded 120 days to work on the answering brief. See NRAP 31(a)(3)(B); SCR 250(6)(d). Accordingly, the motion is denied. Respondent shall have 30 days from the date of this order to file and serve the answering brief. No further extensions will be granted except upon a showing of "extraordinary circumstances and extreme need." NRAP 31(b)(3)(D); SCR 250(6)(e). Counsel's caseload will not be deemed such a

circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the answering brief may result in the imposition of sanctions.

It is so ORDERED.

Cherry, C.J.

cc: Robert L. Langford & Associates
Oronoz, Ericsson & Gaffney, LLC
Attorney General/Carson City
Clark County District Attorney