

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DEMON MORGAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70424

FILED

FEB 06 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING MOTION

Extraordinary circumstances and extreme need having been shown, appellant's motion requesting a third extension of time to file the opening brief is granted to the following extent. NRAP 31(b)(3)(B). Appellant shall have until February 10, 2017, 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.

Cherry, C.J.

cc: Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney