

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN MATTHEW LIPSITZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72057

FILED

FEB 01 2018

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

ORDER GRANTING MOTION

Appellant has filed an untimely motion for a fifth extension of time (60 days) to file the opening brief and appendix. In support of the motion, counsel for appellant states that he recently substituted in as counsel and requires time to familiarize himself with the record. Extraordinary circumstances and extreme need having been shown, we grant the motion. NRAP 31(b)(3)(B). Appellant shall have until March 19, 2018, to file and serve the opening brief and appendix. Given the length of time this appeal has been pending, additional requests for extensions of time 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.

Dryden C.J.

cc: Vasek Law PLLC
Attorney General/Carson City
Clark County District Attorney