

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED C. HARVEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72829

FILED

APR 26 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION

Appellant has filed a motion to “stay” this appeal or, alternatively, for a 75-day extension of time to file the opening brief. In support of the motion, counsel for appellant represents that she has filed a motion to reconstruct the record and a motion for a new trial in the district court. The extension is requested to allow time for the district court to resolve these motions. Respondent opposes the motion and appellant has filed a reply.

Cause appearing we grant the motion to the following extent. NRAP 31(b)(3)(B). Appellant shall have until June 25, 2018, to file and serve the opening brief and appendix. Given the length of this extension, 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.

It is so ORDERED.



C.J.

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