

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM LESTER WITTER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73431

FILED

JUL 31 2020

ELIZABETH A. BROWN
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. 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 September 28, 2020, 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.

1. J. Sanders J.

cc: David Anthony
Federal Public Defender/Las Vegas
Attorney General/Carson City
Clark County District Attorney