

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM P. CASTILLO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73465

FILED

NOV 20 2017

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

ORDER GRANTING MOTION

Appellant has filed a motion for a 90-day extension of time to file the opening brief. NRAP 31(b)(3)(D) and SCR 250(7)(d) provide for a 60-day extension of time to file a brief in a death-penalty post-conviction appeal upon a showing of good cause but require a showing of “extraordinary circumstances and extreme need” for any further extension of time. The pending motion is based on counsel’s caseload. Although counsel’s caseload normally is not considered an extraordinary circumstance, *cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974), we will allow the overlong extension of time in this instance. Appellant shall have until February 12, 2018, to file and serve the opening brief and appendix. 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 to support any further extensions of time. Failure to comply with this order may result in the imposition of sanctions.

It is so ORDERED.

Cherry, C.J.

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