

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY OFFICE OF THE
CORONER/MEDICAL EXAMINER,

Appellant,

vs.

LAS VEGAS REVIEW-JOURNAL,

Respondent.

No. 74604

FILED

AUG 21 2018

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

ORDER DENYING MOTION

Respondents have filed a motion for leave to file an answering brief in excess of the type-volume limitation. See NRAP 32(a)(7)(A)(ii) (establishing a limitation of 14,000 words). The motion and certificate of compliance indicates that the proposed brief contains 15,804 words. In support of the motion, counsel states that the excess words are necessary in order to address a complex Nevada Public Records Act matter and numerous statutes as well as legislative history regarding various statutes raised and cited in appellant's opening brief.

This court "looks with disfavor on motions to exceed applicable page limit or type-volume limitation, and therefore, permission to exceed the page limit or type-volume limitation will not be routinely granted." NRAP 32(a)(7)(D)(i): *see also Hernandez v. State*, 117 Nev. 463, 467, 24 P.3d 767, 770 (2001) ("Page limits . . . are ordinary practices employed by the courts to assist in the efficient management of the cases before them." (quoting *Cunningham v. Becker*, 96 F. Supp. 2d 369, 374 (D. Del. 2000))). Rather, a motion "will be granted only upon a showing of diligence and good cause." NRAP 32(a)(7)(D)(i). The appendix in this case is only two volumes, and appellant's opening brief is well within the 14,000 word limit. Accordingly, we are not convinced that a brief in excess of the usual type-volume limitation is warranted, and the motion is denied.

The clerk of this court shall reject the answering brief received on August 14, 2018. Respondents shall have 15 days from the date of this order to file and serve an answering brief that complies with either the standard page limitation (not more than 30 pages) or type-volume limitation (not more than 14,000 words), and all formatting requirements of NRAP 32. Thereafter, briefing shall proceed in accordance the NRAP 31(a)(1). Failure to timely file an answering brief may result in the imposition of sanctions.

It is so ORDERED.

, C.J.

cc: Clark County District Attorney/Civil Division
Marquis Aurbach Coffing
McLetchie Shell LLC