

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRUDI LEE LYTLE; AND JOHN
ALLEN LYTLE, AS TRUSTEES OF THE
LYTLE TRUST,

Appellants,

vs.

SEPTEMBER TRUST, DATED MARCH
23, 1972; GERRY R. ZOBRIST; JOLIN G.
ZOBRIST, AS TRUSTEES OF THE
GERRY R. ZOBRIST AND JOLIN G.
ZOBRIST FAMILY TRUST; RAYNALDO
G. SANDOVAL; JULIE MARIE
SANDOVAL GEGEN, AS TRUSTEES
OF THE RAYNALDO G. AND EVELYN
A. SANDOVAL JOINT LIVING TRUST
AND DEVOLUTION TRUST DATED
MAY 27, 1992; DENNIS A. GEGEN;
AND JULIE S. GEGEN, HUSBAND
AND WIFE, AS JOINT TENANTS,

Respondents.

TRUDI LEE LYTLE; JOHN ALLEN
LYTLE; AND LYTLE TRUST,

Appellants,

vs.

SEPTEMBER TRUST, DATED MARCH
23, 1972; GERRY R. ZOBRIST; JOLIN G.
ZOBRIST, AS TRUSTEES OF THE
GERRY R. ZOBRIST AND JOLIN G.
ZOBRIST FAMILY TRUST; RAYNALDO
G. SANDOVAL; JULIE MARIE
SANDOVAL GEGEN, AS TRUSTEES
OF THE RAYNALDO G. AND EVELYN
A. SANDOVAL JOINT LIVING TRUST
AND DEVOLUTION TRUST DATED

No. 76198

FILED

MAY 02 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

No. 77007

19-19225

MAY 27, 1992; DENNIS A. GEGEN;
AND JULIE S. GEGEN, HUSBAND
AND WIFE, AS JOINT TENANTS,
Respondents.

ORDER DENYING MOTION

Appellants have filed a motion for a third extension of time to file the opening brief in Docket No. 77007. In support of the motion, appellants assert that the district court is scheduled to hear a motion for reconsideration of the order challenged in that appeal on May 16, 2019. Respondents oppose the motion and appellants have filed a reply. Having considered these documents, this court is not convinced that appellants demonstrate extraordinary circumstances and extreme need warranting a third extension of time. *See* NRAP 31(b)(3)(B). In particular, it is not clear that the district court is actually scheduled to hear any motion for reconsideration on May 16, 2019. Moreover, this court is not willing to delay briefing any longer based on the possibility that the current district court judge may be inclined to reconsider the order. Accordingly, the motion is denied.

Appellants shall have 14 days from the date of this order to file and serve the opening brief in Docket No. 77007. No further extensions of time shall be permitted absent demonstration 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, including the dismissal of the appeal in Docket No. 77007.

It is so ORDERED.

 C.J.

cc: Gibbs Giden Locher Turner Senet & Wittbrodt LLP/Las Vegas
Christensen James & Martin