

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARLO THOMAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77345

FILED

MAR 15 2019

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

ORDER GRANTING MOTION

Appellant has filed a motion for a 90-day extension of time to file the opening brief. Extraordinary circumstances and extreme need having been demonstrated, 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 June 5, 2019, 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. *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.

L. Liblan, C.J.

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