

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY D. SPENCER, AN
INDIVIDUAL,

Appellant,

vs.

HELMUT KLEMENTI, AN
INDIVIDUAL; EGON KLEMENTI, AN
INDIVIDUAL; ELFRIEDE KLEMENTI,
AN INDIVIDUAL; MARY ELLEN
KINION, AN INDIVIDUAL; ROWENA
SHAW, AN INDIVIDUAL; AND PETER
SHAW, AN INDIVIDUAL,

Respondents.

JEFFREY D. SPENCER,

Appellant,

vs.

HELMUT KLEMENTI, AN
INDIVIDUAL; EGON KLEMENTI, AN
INDIVIDUAL; ELFRIEDE KLEMENTI,
AN INDIVIDUAL; MARY ELLEN
KINION, AN INDIVIDUAL; ROWENA
SHAW, AN INDIVIDUAL; AND PETER
SHAW, AN INDIVIDUAL,

Respondents.

No. 77086

FILED

SEP 24 2019

ELIZABETH A. BROWN
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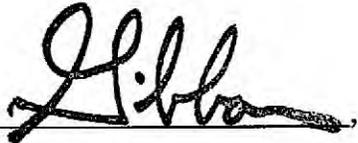
No. 77711

ORDER

Appellant has filed a motion for a second extension of time to file the reply brief. The motion does not comply with the requirements of NRAP 31(b)(3)(A). Nevertheless, extraordinary and compelling circumstances having been show, the motion is granted. NRAP 31(b)(3)(A)(iv). Appellant shall have until October 2, 2019, to file and serve the reply brief. No further extensions of time shall be granted absent demonstration of extraordinary and compelling circumstances. *Id.*; NRAP 26(b)(1)(B). 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 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.

 C.J.

cc: Doyle Law Office, PLLC
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McCormick, Barstow, Sheppard, Wayte & Carruth, LLP/Reno
Tanika M. Capers