

IN THE SUPREME COURT OF THE STATE OF NEVADA

U.S. BANK N.A., AS TRUSTEE FOR
THE SPECIALTY UNDERWRITING
AND RESIDENTIAL FINANCE TRUST
MORTGAGE LOAN ASSET-BACKED
CERTIFICATES SERIES 2006-BC4,

Appellant,

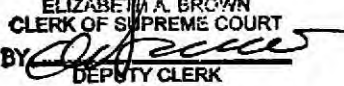
vs.

THUNDER PROPERTIES, INC.; AND
WESTLAND REAL ESTATE
DEVELOPMENT AND INVESTMENTS,
Respondents.

No. 81129

FILED

NOV 09 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

Appellant has filed a motion for a second extension of time to file the opening brief. Once a party receives a telephonic extension of time to perform an act, further extensions of time to perform that same act are barred unless the moving party files a motion for an extension of time demonstrating extraordinary and compelling circumstances in support of the requested extension. NRAP 26(b)(1)(B); NRAP 31(b)(3)(A)(iv). Appellant previously received a telephonic extension of time to file the opening brief and does not demonstrate extraordinary and compelling circumstances in support of the current extension request. Nevertheless, in this instance only, the motion is granted. Appellant shall have until November 25, 2020, to file and serve the opening brief and the joint appendix. No further extensions of time shall be permitted absent demonstration of extraordinary and compelling circumstances. *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.

It is so ORDERED.

Pickering, C.J.

cc: Akerman LLP/Las Vegas
Roger P. Croteau & Associates, Ltd.