

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVONTAE AMARRI WHEELER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81374

FILED

APR 15 2021

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

ORDER DENYING MOTION

On February 4, 2021, this court granted respondent's motion for an extension of time (60 days) to file the answering brief. The court cautioned that no further extensions would be granted absent a demonstration of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B). Respondent has filed a motion for a second extension of time (30 days), arguing as cause that appellant raised numerous issues, the appendix is 14 volumes, and reviewing attorneys in respondent's office need to review the draft of the answering brief. Respondent does not demonstrate extraordinary circumstances or extreme need. *See Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974) (counsel's caseload will not be deemed extraordinary circumstances and extreme need). Accordingly, the motion is denied. Respondent shall have 14 days from the date of this order to file and serve the answering brief. Failure to timely file the answering brief may result in the imposition of sanctions. NRAP 31(d).

It is so ORDERED.

1. Sanderth, C.J.

cc: Sandra L. Stewart
Attorney General/Carson City
Clark County District Attorney