

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARELL L. MOORE; AND CHARLENE
A. MOORE, INDIVIDUALLY AND AS
HUSBAND AND WIFE,

Appellants,

vs.

JASON LASRY, M.D., INDIVIDUAL;
AND TERRY BARTMUS, RN, APRN,
Respondents.

No. 81659

FILED

APR 30 2021

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

*ORDER DISAPPROVING SUBSTITUTION OF COUNSEL AND
GRANTING EXTENSION MOTION*

Attorney Timothy Wiseman has filed a substitution of counsel purporting to substitute E. Breen Arntz as counsel for appellants in place of Wiseman and attorney Brian Morris. A substitution of counsel is not appropriate where Arntz is already counsel of record for appellant. Moreover, the substitution is not signed by appellant Darell Moore. *See* NRAP 46(e)(2). Accordingly, the substitution of counsel is disapproved. Wiseman and Morris may file a motion to withdraw as counsel in accordance with NRAP 46(e)(3), if deemed warranted.

Appellants' motion requesting a second extension of time to file the opening brief is granted. NRAP 31(b)(3)(B). Appellants shall have until June 21, 2021, to file and serve the opening brief and appendix. 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 this appeal. NRAP 31(d).

It is so ORDERED.

1. Sanders, C.J.

cc: Morris Law Center
E. Breen Arntz, Chtd.
Atkinson Watkins & Hoffmann LLP
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
McBride Hall